



Douglas County  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
Record of Decision

For Ecology Use Only

Received: **DEPT OF ECOLOGY**  
Received  
Date: **SEP 22 2014**  
**CENTRAL REGION OFFICE**

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Reviewed by: \_\_\_\_\_  
Date Reviewed: \_\_\_\_\_

Applicant: Earl & Kathy Drinkwater

Application Number: DOUG 14-01

This record of decision was made by a majority of the board at an open public meeting of the Douglas County Water Conservancy Board held on 9/15/14

**Approval:** The Douglas County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on 9/15/14 and submits this record of decision and report of examination to the Department of Ecology for final review.

**Denial:** The Douglas County Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on \_\_\_\_\_ and submits this record of decision to the Department of Ecology for final review.

Signed:

*Lee Hemmer*

Lee Hemmer, Chair  
Douglas County Water Conservancy Board

Date: 9-15-14

- Approve
- Deny
- Abstain
- Recuse
- Other

*Kathalene Humphrey*  
Kathalene Humphrey, Vice Chairman  
Douglas County Water Conservancy Board

Date: 9/15/14

- Approve
- Deny
- Abstain
- Recuse
- Other

*Don Popoff*  
Don Popoff, Member  
Douglas County Water Conservancy Board

Date: 9/15/14

- Approve
- Deny
- Abstain
- Recuse
- Other

Mailed to the Department of Ecology Central Regional Office of Ecology, and other interested parties on 9-19-14

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

Ecology is an equal opportunity employer



**(Douglas County)**  
**WATER CONSERVANCY BOARD**  
*Application for Change/Transfer*  
 OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF  
 THE STATE OF WASHINGTON



### Report of Examination

**NOTE TO APPLICANT:** Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

**NOTE TO AUTHOR:** Read the instructions for completing a water conservancy board report of examination. Use the F11 key to move through the form.

**Surface Water**       **Ground Water**

Doub-11-01

DATE APPLICATION RECEIVED January 2011	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.) S4-29942	WATER RIGHT PRIORITY DATE 02/23/89	BOARD-ASSIGNED CHANGE APPLICATION NUMBER Douglas 01-11
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NAME Earl and Kathy Drinkwater dba D W Orchards			
ADDRESS (STREET) 1 Drinkwater Drive	(CITY) Orondo	(STATE) WA	(ZIP CODE) 98843

**Changes Proposed:**     Change purpose     Add purpose     Add irrigated acres     Change point of diversion/withdrawal  
 Add point of diversion/withdrawal     Change place of use     Other (Temporary, Trust, Interties, etc.) \_\_\_\_\_

**SEPA**  
 The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is:     Exempt     Not exempt

### BACKGROUND AND DECISION SUMMARY

#### Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND 2.0	MAXIMUM GAL/MINUTE 900	MAXIMUM ACRE-FT/YR 356	TYPE OF USE, PERIOD OF USE 16 acre ft year for frost protection of 85 acres from 3-15/06-01: 340 acre ft per year for irrigation of 85 acres from 04-15 to 10-31				
SOURCE Surface Water			TRIBUTARY OF (IF SURFACE WATER) -----				
AT A POINT LOCATED: PARCEL NO. 26220820007	¼	¼	SECTION 8	TOWNSHIP N. 22N	RANGE 26 E	WRIA 44	COUNTY. Douglas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED Part of SW1/4, NE1/4, SE1/4, NW1/4 of SW1/4 of Section 8, T22, R26E (all Property owned by Drinkwater in Section 8, T 22 N, R 26 E,44, Douglas County)							
PARCEL NO. 26220820007 26220820002 26220840003 26220840004 26220840005 26220840006 26220830001 26220830002 26220830003 26220830004	¼	¼	SECTION 8	TOWNSHIP N. 22	RANGE 26E	<div style="border: 1px solid black; padding: 5px; width: fit-content;"> <i>Township &amp; Range are reversed throughout this ROD</i> </div>	

#### Proposed Use

MAXIMUM CUB FT/ SECOND 2.0	MAXIMUM GAL/MINUTE 900	MAXIMUM ACRE-FT/YR 356	TYPE OF USE, PERIOD OF USE 16 acre ft per year for frost protection of 85 acres from 3-15/06-01: 340 acre ft per year for irrigation of 85 acres from 04-15 to 10-31				
SOURCE Surface Water			TRIBUTARY OF (IF SURFACE WATER) -----				
AT A POINT LOCATED: PARCEL NO. 26220820007	¼	¼	SECTION 8	TOWNSHIP N. 22	RANGE 26 E	WRIA 44	COUNTY. Douglas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED Part of SW1/4, NE1/4, SE1/4, NW1/4 of SW1/4 of Section 8, T22, R26E (all Property owned by Drinkwater in Section 8, T 22 N, R 26 E,44, Douglas County)							

PARCEL NO. 26220820007 26220820002 26220840003 26220840004 26220840005 26220840006 26220830001 26220830002 26220830003 26220830004	¼		SECTION 8	TOWNSHIP N. 22	RANGE, 26 E
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### Board's Decision on the Application

MAXIMUM CUB FT/ SECOND 2.0	MAXIMUM GAL/MINUTE 900	MAXIMUM ACRE-FT/YR 356	TYPE OF USE, PERIOD OF USE 16 acre ft per year for frost protection of 85 acres from 3-15/06-01: 340 acre ft per year for irrigation of 85 acres from 04-15 to 10-31				
SOURCE Surface Water			TRIBUTARY OF (IF SURFACE WATER) -----				
AT A POINT LOCATED: PARCEL NO. 26220820007	¼	¼	SECTION 8	TOWNSHIP N. 22	RANGE 26 E	WRIA 44	COUNTY. Douglas
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
Part of SW1/4, NE1/4, SE1/4, NW1/4 of SW1/4 of Section 8, T22, R26E (all Property owned by Drinkwater in Section 8, T 22 N, R 26 E,44, Douglas County)							
PARCEL NO. 26220820007 26220820002 26220840003 26220840004 26220840005 26220840006 26220830001 26220830002 26220830003 26220830004	¼	¼	SECTION 8	TOWNSHIP N. 22	RANGE, 26 E		

26220820002 is  
 not in place of  
 use  
 26220820007 is not  
 in pos. - IT IS SOURCE  
 Location

DESCRIPTION OF PROPOSED WORKS

No on site work proposed, Change/Transfer process to correct parcel and legal description of planted orchard to match water permit.

DEVELOPMENT SCHEDULE

Table with 3 columns: BEGIN PROJECT BY THIS DATE: Already Begun; COMPLETE PROJECT BY THIS DATE: In Process under Temporary Water Right; COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE: In Process under Temporary Water Right

REPORT

NOTE TO AUTHOR: This form reflects the minimum regulatory requirements as required in WAC 173-153-130(6). In accordance with WAC 173-153-130(5), "It is the responsibility of the water conservancy board to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." Completion solely of the minimum regulatory requirements may not constitute a fully documented decision.

BACKGROUND [See WAC 173-153-130(6)(a)]

On January 2011 Earl and Kathy Drinkwater of Orondo, WA filed an application for change POU under S4-29942. The application was accepted at an open public meeting on January 2011, and the board assigned application number DOUG11-01.

Attributes of the water right as currently documented

- Name on certificate, claim, permit: Earl Drinkwater and Kathy Drinkwater
Water right document number: S429942
As modified by certificate of change number: No other changes
Priority date, first use: 02-23-89
Water quantities: Qi: 2.0 CFS Qa: 356 acre ft./ year
Source: Surface Water of Columbia River
Point of diversion/withdrawal: Parcel #26220820007, SW1/4 of SW1/4, Section 8, T22N, R26E, Douglas County
Purpose of use: 85 acres irrigated land
Period of use: March 15th to November 1 (Frost Protection and Irrigation during Irrigation Season)
Place of use: Section 8, T22N, R26E, Douglas County, Washington
Existing provisions: Family Farm

Tentative determination of the water right

The tentative determination is provided on the front page of this report.

History of water use

Drinkwater's are requesting a Change/Transfer of Use to incorporate NW1/4 and SW1/4 on SW1/4 of Section 8 to include the entire property purchased by Drinkwater's in 1989 as directed by Tom Perkow, DOE to correct an omission of the western half of the southwest 1/4 of Section 8 which includes planted and irrigated lands.

Original property owners Clyde and Geraldine Stafford sold a portion of their property to neighbors Dan and Joy Cox, and then a portion to Indian Rapids Ranch, Inc. (a Washington State Corporation consisting of Clyde and Geraldine's two children and their spouses). In 1989 Clyde and Geraldine Stafford and Indian Rapids Ranch, Inc. agreed to sell their properties to Earl and Kathy Drinkwater, during this process it was discovered that the Staffords did not follow the guidelines of the Farm Act of 1973 that required all property owners to update their water rights with the Department of Ecology. Subsequently Clyde and Geraldine Stafford lost their established water rights without knowing it. The Staffords' believed they were Grandfathered and not required to update their water right based on advice from their attorney, (now deceased). The Staffords' and Indian Rapids Ranch, Inc. retained Wenatchee attorney Jay Johnson, specializing in water right issues, to resolve the water right loss issues with the DOE regarding the proposed Drinkwater sale, and a prior property sale to Dan and Joy Cox. With the assistance of the Department of Ecology Indian Rapids Ranch and Staffords were able to complete the sale to Drinkwaters with a new temporary water right issued April 1989 (Exhibit 1) for existing orchard as well as future planting construction, along with the neighbor Cox's prior sale. Over the next many years the Drinkwaters have worked to develop additional irrigated farm land under the authorized 85 acre limit approved by the DOE. Orchard development has been on going under a temporary water right with DOE to be completed following this Change and Transfer putting the water to full and beneficial use, Proof of Appropriation form is in process.

The Drinkwaters' received correspondence from DOE representative Thomas Perkow in November 2009 (Exhibit 3) indicating an issue with property developed outside "Place of Use" as authorized by DOE under Permit #S4-29942. The map Rep Perkow attached to his letter identified a portion of the Drinkwater property originally purchased was not included in the application form legal description but does appear to be included with the original legal description in the supporting documents attached to the Application for Permit #S4-29942. Kathy Drinkwater met with DOE Rep Perkow in Wenatchee to review maps and legal descriptions from original purchase and application process in 1989 (Exhibit 4). The review suggested the map of the original survey by Willard Baylis, Jr. (now deceased) may have contributed to the confusion regarding a portion of Section 8 identifying SW1/4, the map appears to omit the NW 1/4 and SW 1/4 of the SW 1/4; of Section 8, however the full legal description attached to the Baylis Survey map appears to incorporate all of the SW 1/4 of the SW 1/4, as better identified in the map with (Exhibit 5).

After the meeting at Tom Perkows Wenatchee Field Office the Drinkwaters followed his instruction for correcting the original application legal description error by contacting and beginning the process for Application for Change/Transfer of Water Right (Exhibit 6) with the Douglas County Water Conservancy Board in January 2010.

After meeting with the Douglas County Water Conservancy Board and their subsequent contact with DOE it was determined that a Report of Examination with be needed to process the change and forwarded to the Department of Ecology.

*Previous changes*

Applicant were originally approved a temporary water right permit for a surface water right on February 23, 1989 by Washington State Department of Ecology, allowing time to develop and plant an additional acreage.

*SEPA*

RCW 43.21C.035 provides that "decisions pertaining to applications for appropriation of fifty cubic feet of water per second or less for irrigation projects promulgated by any person, private firm, private corporation or private association without resort to subsidy by either state or federal government pursuant to RCW 90.03.250 through 90.03.340, as now or hereafter amended, to be used for agricultural irrigation shall not be subject to the requirements of RCW 43.21C.030 (2)(c), as now or hereafter amended." The subject water authorizes the withdrawal of (2.0cfs), for irrigation and frost control purposes. No federal funds are involved in this project. As such, this project falls within the exemption provided by statute. The board has reviewed the proposed project in its entirety.

*Other*

**The information or conclusions in this section were authored and/or developed by . Kathy Humphrey**

**COMMENT AND PROTESTS** [See WAC 173-153-130(6)(b)]

Public notice of the application was given in the Empire Press on 9 June, 2011 and on 16 June, 2011. Protest period ended on 16 July 2011.

There were NO protests received during the 30 day protest period. In addition, NO oral and written comments were received at an open public meeting of the board or other means as designated by the board,

Date:

This was recognized by the board as a  Protest  Comment

Name/address of protestor/commenter:

Issue:

Board's analysis:

No Comments or Protests Made

*Other*

**The information or conclusions in this section were authored and/or developed by : Kathy Humphrey**

**INVESTIGATION [See WAC 173-153-130(6)(c)]**

The following information was obtained from a site inspection conducted by Kathy Humphrey on 06/01/13 and 07/10/13, technical reports, research of department records, comments and conversations with the applicant and/or other interested parties.

*Proposed project plans and specifications*

No proposed changes to water usage amounts, diversion location or amount of orchard planted and irrigated lands, changes limited to POU, original intent remains the same with correction to legal description changed to include all property owned by Drinkwater's and purchased in 1989. Permit issued under #S4-29942 was originally intended and assumed to include entire property purchased. It appears the full legal description was inadvertently condensed on forms used during the 1989 application for water permit process, this change/transfer process will correct that issue.

*Other water rights appurtenant to the property (if applicable)*

No other water rights are appurtenant to the property.

*Public Interest (groundwater only)*

The proposed transfer is subject to RCW 90.44.100 and therefore, cannot be detrimental to the public interest, including impacts on any watershed planning activities. The Board finds that there have been no issues raised that indicate that the change would prove detrimental to the public interest.

*Tentative Determination*

In order to make a water right change decision, the Board must make a tentative determination on the validity and extent of the right. The Board has made the tentative determination as displayed upon the first page of this report. There are several circumstances that can cause the board's tentative determination to differ from the stated extent of the water right within water right documentation. Water right documents attempt to define a maximum limitation to a water right, rather than the actual extent to which a water right has been developed and maintained through historic beneficial use. Additionally, except for a sufficient cause pursuant to RCW 90.14.140, water rights, in whole or in part, not put to a beneficial use for five consecutive years since 1967 may be subject to relinquishment under Chapter 90.14.130 through 90.14.180 RCW. Water rights may additionally be lost through abandonment. The Board's tentative determination was based upon the following findings:

*Geologic, Hydrogeologic, or other scientific investigations (if applicable)*

Not applicable, No changes made to original application and permit other than confusion of POU in written legal versus actual understanding of use.

*Other*

*No change to location of point of withdrawal or source is proposed. No change in number of acres irrigated is proposed. No additional purposes of use are proposed.*

***Impact on Other Water Rights and Pending Application***

The Board finds that there will be no impairment of existing water rights arising from this change application.

**The information or conclusions in this section were authored and/or developed by Kathy Humphrey.**

**CONCLUSIONS**

*Tentative determination (validity and extent of the right)*

Water Right established and authorized 02/23/1989 by DOE under Application #S4-29942 should be revised to include entire Drinkwater legal description of property purchased in 1989.

*Relinquishment or abandonment concerns*

No relinquishment or abandonment concerns addressed with this POU Change/Transfer process

*Hydraulic analysis*

No Changes requested or made from original Application and Permit

*Consideration of comments and protests*

No comments or protests were received.

*Impairment*

No impairment noted to existing or other properties or water rights

*Public Interest*

No Changes requested in POU detrimental to the public interest.

*Other*

The board also considered the previous provisions associated with the water right as identified in the background section of this report when making its decision.

**DECISION**

Drinkwater's received a letter from Watermaster Thomas Perkow, Department of Ecology, indicating an issue discovered through an aerial mapping review process initiated by the DOE of the Columbia River in the Drinkwater's area to investigate POU in comparison to Water Permits. Mr. Perkow instructed the Drinkwaters to contact the Douglas County Water Conservancy Board to correct the Water Permit S-429942 to match the actual POU.

Douglas County Water Board Representative Kathy Humphrey began review of Maps, provided by Douglas County TLS 2013 Maps and comparing them to Map detail provided as the DOE letter attachment provided by Mr. Perkow, and the Drinkwaters original Application and attachments. Exhibit "4" attached map is the Survey Map by Willard Baylis Jr. (deceased), a surveyor originally hired by Clyde and Geraldine Stafford as original owners of the Drinkwaters family farm property. It appears not to include a portion of the SW1/4 or Section 8 as stated in paragraph of the Application of Permit, though this segment is included in the survey attached to the water application. The survey seems to include all the land purchased, all in Section 8, T22, R26. The water right application includes SE1/4 of NW1/4, SW1/4 of NE1/4, NW1/4, SE1/4, SE1/4 of SW1/4, NE1/4, SW1/4 all in Section 8. Close examination of Exhibit "4" reveals it is a reduction excerpt of the SW1/4. The reduced copy of Survey map used a notational symbol on left (West) side of map which indicated the NW1/4 & SW1/4 of SW1/4 were the included symbol of Map. This is further supported by the indication symbol that this portion of the map indicates it is the SW1/4 of Section 8, but when compared to Section Map Exhibit "5" it is clearly the wrong shape and proportion to encompass all of SW1/4 of Section 8. The W1/2 of SW1/4 does not appear but is referenced by surveyors map as noted above in Exhibit "4".

During the purchasing process of the land for their family home, farm and orchard development in Section 8, T22, R26 Earl and Kathy Drinkwater discovered prior owner Stafford had neglected to comply with the 1973 Farm Act thus relinquishing the original property water right appurtenant to the proposed land for purchase. Stafford was mistakenly informed by a water attorney (deceased) that their water rights were grandfathered and not requiring them to formally revise their filing under the 1973 Farm Act. In addition to the pending Drinkwater sale, Stafford had already sold a portion of their land to neighbors Dan and Joy Cox and another portion to their children Melody Babst and Gregory Stafford along with their spouses under the incorporated name of Indian Rapids Ranch, Inc several years prior, with the assumption he sold them land with water rights.

With the discovery of lost water rights for the pending sale to Drinkwater as well as the prior sales to Cox and Indian Rapids Ranch, Inc. the Stafford hired Wenatchee Water Right specialist Attorney Jay Johnson to assist the Staffords in correcting their oversight. Johnson worked with DOE to obtain adequate water rights for the prior sale to Cox, Indian Rapids Ranch Inc, and the pending sale of farm land to be developed by the Drinkwaters. Drinkwaters received a temporary water right permit to cover the original 15 acres they were in the process of purchasing from Indian Rapids Ranch Inc and develop an additional 70 acres of farm land on the property they were purchasing from Clyde and Geraldine Stafford and Indian Rapids Ranch, Inc..

Drinkwaters have completed planting trees ranging 3 to 30 plus years in age putting full and beneficial use to their original orchard layout and permitted by S429942 DOE issued Water Permit. Drinkwaters are requesting a Change/Transfer to correct the original legal description to include all property originally intended to be included in the 1989 purchase and permit process, including the W1/2 of the SW1/4 of Section 8, T22 R26.

Parcel map provided by Douglas County TLS 2013 Exhibit "4" identifies current parcels numbered 26220830001, 26220830002 and 26220830003 as shown on Ecology Application S429942 POU and existing permit S429942 P clearly identifies irrigation use.

The portions of the E1/2 of SW1/4 of Section 8 in production as evidenced by aerial photos showing mature and replacement young trees on site and still producing.

We are respectfully submitting this request, exhibit maps included and tabbed, for approval, along with a copy of Mr Perkows letter for clarification and review.

**The information or conclusions in this section were authored and/or developed by Kathy Humphrey.**

**PROVISIONS [See WAC 173-153-130(6)(f)]**

*Conditions and limitations*

No changes, conditions or limitations

*Mitigation (if applicable)*

No Changes Recommended

*Construction Schedule*

Project is already complete and water put to full and beneficial use.

*Other*

No other issues to be addressed

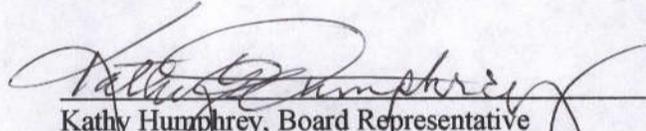
**The information or conclusions in this section were authored and/or developed by Kathy Humphrey.**

The undersigned board commissioner certifies that he/she understands the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC 173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Waterville, Washington

This 15 day of ~~July, 2013~~

Sept, 2014

  
\_\_\_\_\_  
Kathy Humphrey, Board Representative  
Douglas County Water Conservancy Board

*If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).*

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AFFIDAVIT OF PUBLICATION  
STATE OF WASHINGTON  
COUNTY OF DOUGLAS

DOUGLAS COUNTY WATER CONSERVANCY  
BOARD  
P.O. BOX 608  
WATERVILLE, WA 988580608

REFERENCE INFORMATION:

Account # 129130  
Ticket # 92545  
Tag Line: BEFORE THE DOUGLAS COUNTY WATER  
CONS

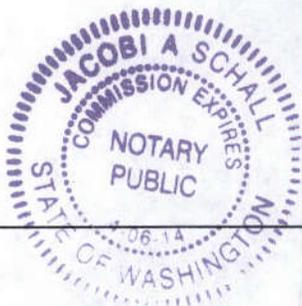
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County and State. Serving the county of Douglas.

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TOTAL COST: \$256.90

Subscribed and sworn to before me on 06/16/11

Jacobi A. Schall  
Notary Public in and for the State of Washington, residing



**BEFORE THE DOUGLAS COUNTY  
WATER CONSERVANCY BOARD  
DOUGLAS COUNTY, WASHINGTON**

**TAKE NOTICE:** That on April 11, 2011, Earl & Kathy Drinkwater of Orondo, WA filed application number DOUG 11-01 with the Douglas County Water Conservancy Board to change the place of use under S4-29942P

That said right, under priority date of September 12, 1989 authorizes the withdrawal or diversion of 2 cubic feet per second or 340 acre feet per year from the Columbia River located in Gov Lot 5, Section 8, T 26, R 22 EWM. That said right authorizes water to be used for frost protection and irrigation from March 15 to October 31 within Gov Lot 4 (SE $\frac{1}{4}$ , NW $\frac{1}{4}$ ), Gov Lot 5 (SW  $\frac{1}{4}$  , NE  $\frac{1}{4}$ ), Gov Lot 6 (NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ), SE $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , all in Section 8, T26N, R22 EWM, Douglas County WA

That the applicant proposes to move the place of use to Gov Lot 4 (SE $\frac{1}{4}$ , NW $\frac{1}{4}$ ), Gov Lot 5 (SW  $\frac{1}{4}$  , NE  $\frac{1}{4}$ ), Gov Lot 6 (NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ), SE $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$  all in Section 8, T26N, R22 EWM, Douglas County WA. Water use and quantities to remain the same.

Any protests or objections to the approval of this application may be filed with the Department of Ecology and must include a detailed statement of the basis for objections; protests must be accompanied by a fifty dollar (\$50) recording fee and filed with the Department of Ecology Cashiering Unit, P.O. Box 47611, Olympia, WA 98504-7611 within thirty (30) days from June 16, 2011.

Any interested party may submit comments, objections, and other information to the Board regarding this application. The comments and information may be submitted in writing or verbally at any public meeting of the Board held to discuss or decide on the application. This application will be on the Boards agenda during its regular meeting to be held on the second Monday of each month at 4:00 p.m. at 104 East Locust Street, Waterville WA until a decision on the application is made. Additionally, the Douglas County Water Conservancy Board may receive written comments or information provided within thirty days from June 16, 2011 at its office, P.O. Box 608, Waterville, WA 98858.

**NOTICE OF HEARING:** The Douglas County Water Conservancy Board will hold a public hearing for the purpose of affording an opportunity for interested persons to comment upon this application. The public hearing will be held on June 20, 2011 at 4:00 p.m. at Waterville City Hall, 104 East Locust, Waterville, WA

*Published in the Douglas County Empire Press on June 9 and June 16, 2011.*



# Douglas County Water Conservancy Board

P. O. Box 608  
Waterville, Washington 98858  
(509) 745-9160

Lee G. Hemmer, Chair

Kathy Humphrey, Member

Don Popoff, Member

## SITE VISIT REPORT

Date of Inspection: 4-6-13 & 7-10-13

Applicant Name: EARL & KATHY DRINKWATER

DOE No: 54-29942P

DCWCB No.: DOUG 11-01

Inspector(s): KATHY Humphrey

Applicant(s) Present: EARL & KATHY DRINKWATER

Existing Right:	Comment
Verified Point of Diversion/Withdrawal	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <u>TAX Parcel 2622082007</u>
Headgate or Pump Type:	<u>Simmons, US Motors 125 HP</u>
Type of Metering:	<u>Douglas County PUD</u>
Verified Place of Use:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Crop Type:	<u>ORCHARD Apples &amp; CHERRIES</u>
Irrigation Equipment:	<u>SPRINKLERS inground under trees</u>
Obtained Water Use Data:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Describe:	<u>8" MAIN LINE 265 PSI</u> <u>SW 1/4, NE 1/4, SE 1/4</u>
Proposed Change:	Comment <u>INCLUDE <del>NW 1/4 SW 1/4</del> of SW 1/4 S8</u>
Verified Point of Diversion/Withdrawal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Headgate or Pump Type:	<u>Simmons, US Motors, 125 HP</u>
Type of Metering:	<u>Douglas County PUD</u>
Verified Place of Use:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Crop Type:	<u>Apples &amp; cherries</u>
Irrigation Equipment:	<u>SPRINKLERS inground under trees.</u>

**Discussions with Applicant**

WATER RIGHT ADDITION OF SW/4, ~~NE/4~~ NE/4, SE/4, NW/4  
SW/4 OF SECTION 8, T22, R26E GURLA 4d.  
Omitted in transfer?

**Field Observations**

ALL WATER BEING PUT TO BENEFICIAL USE.

**Other Comments/Recommendations**

CHRISTINE GREGOIRE  
Director



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

3601 W. Washington • Yakima, Washington 98903-1164 • (509) 575-2800

April 12, 1989

Earl and Kathy Drinkwater  
c/o Jay Johnson, Attorney  
P.O. Box 2136  
Wenatchee, WA 98807

RE: Surface Water Application No. S4-29942 - TEMPORARY PERMIT

Dear Mr. and Mrs. Drinkwater:

The source of this proposed appropriation is public surface waters of the Columbia River. Until July 1, 1989, the Department of Ecology is prohibited by law from issuing normal water right permits that will appropriate surface waters. However, TEMPORARY PERMITS may be issued if all of the requirements of the Revised Code of Washington (RCW 90.03) can be satisfied.

Issuance of a TEMPORARY PERMIT is no guarantee that you will be permitted to appropriate water after it expires. Legislative action may follow the period of legislative review that could substantially affect whether and under what conditions a permanent water right could issue.

In accordance with the provisions of Sections 90.03.250 and 90.44.020 of the Revised Code of Washington, you may consider this letter to be a TEMPORARY PERMIT which is issued subject to the following limitations and provisions:

1. The priority date of this TEMPORARY PERMIT is February 23, 1989.
2. The point of diversion from the Columbia River is located approximately 1850 feet west and 2700 feet north of the southeast corner of Section 8, being within Government Lot 5 of Section 8, T. 26 N., R. 22 E.W.M., in Douglas County.
3. Water is to be used for the purpose(s) of frost protection as needed and the irrigation of 85 acres from April 1 to October 31 within the following described land:  
  
Government Lots 4, 5, and 6, the SE $\frac{1}{4}$ SW $\frac{1}{4}$  and the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 8, T. 26 N., R. 22 E.W.M.
4. The quantity of water to be diverted is limited to 2.0 cubic feet per second, 355.8 acre-feet per year.

5. This TEMPORARY PERMIT shall be issued subject to Washington Department of Fisheries juvenile salmon screening criteria (pursuant to RCW 75.20.040) and/or Washington Department of Wildlife gamefish screening criteria. Please contact the Department of Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091, Attention: Habitat Management Division, Phone: (206)-753-3318 to obtain specific gamefish (trout, bass, etc.) requirements for your project. Washington Department of Fisheries juvenile salmon screening criteria are attached to the TEMPORARY PERMIT if applicable to your diversion.
6. This TEMPORARY PERMIT shall in no manner be construed to guarantee or even imply that a final (regular) permit will issue pursuant to the subject application.
7. This TEMPORARY PERMIT will remain in effect until such time that it is determined a final decision can be made as to the disposition of Application No. S4-29942.
8. This authorization is subject to the following minimum flow provisions as specified in WAC 173-563-040 and WAC 173-563-050 and the following table. It is subject to regulation by the Department of Ecology for protection of instream resources whenever the March 1 forecast of April-September runoff at The Dalles is 60 MAF or less, and when gaged flow are predicted by the BPA 30-Day Power Operation Plan to violate the following minimum flow provisions at:

Primary Control Station: Rocky Reach  
 River Mile: 473.7

Minimum Average Weekly Flows  
 Columbia River Projects  
 (1,000 cubic feet/second)

	Rocky Reach*	Priest Rapids
Mar	30	70
Apr. 1-15	50	70
16-25	60	70
26-30	100	110
May	115	130
June 1-15	110	110
16-30	80	80
Jul 1-15	80	80
16-31	100	110
Aug	90	95
Sept	40	40
Oct 1-15	35	40
16-31	35	70

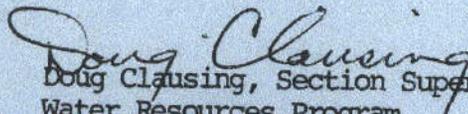
Earl & Kathy Drinkwater  
Temporary Permit No. S4-29442  
Page 3

\* For the reach from Grand Coulee through Wanapum, minimum average weekly flows shall be as shown above, or as necessary to maintain minimum flows (subject to low runoff and adjustment) at Priest Rapids, whichever is higher. As provided in WAC 173-563-050(1), the minimum average weekly flows set forth in this subsection are subject to a reduction of up to 25 percent during low flow years, except that in no case shall the outflow from Priest Rapids Dam be less than 36,000 cfs.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up-to-date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

Use of water under this authorization can be expected to be curtailed at least once in every 20 years.

Very Sincerely Yours,

  
Doug Clausen, Section Supervisor  
Water Resources Program  
Central Regional Office

DC:BJ:ska  
44tem2

Enclosure: Fish Screening Criteria

file

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**REPORT OF EXAMINATION  
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON**

- Surface Water (Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)
- Ground Water (Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE February 23, 1989	APPLICATION NUMBER S4-29942	PERMIT NUMBER	CERTIFICATE NUMBER
------------------------------------	--------------------------------	---------------	--------------------

NAME Earl and Kathy Drinkwater			
ADDRESS (STREET) Star Route, Box 65	(CITY) Orondo,	(STATE) Washington	(ZIP CODE) 98843

**PUBLIC WATERS TO BE APPROPRIATED**

SOURCE  
Columbia River

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND 2.0	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 356
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QUANTITY, TYPE OF USE, PERIOD OF USE  
16 acre-feet per year for frost protection of 85 acres from March 15 and June 1;  
340 acre-feet per year for irrigation of 85 acres from April 15 to October 31.

**LOCATION OF DIVERSION/WITHDRAWAL**

APPROXIMATE LOCATION OF DIVERSION-WITHDRAWAL  
1850 feet west and 2700 feet north of the southeast corner of Section 8

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) Government Lot 5	SECTION 8	TOWNSHIP N. 22	RANGE, (E. OR W.) W.M. 26 E	W.R.I.A. 44	COUNTY Douglas
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**RECORDED PLATTED PROPERTY**

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
-----	-------	------------------------------------

**LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

Government Lot 4 (Southeast 1/4 of the Northwest 1/4), Government Lot 5 (Southwest 1/4 of the Northeast 1/4), Government Lot 6 (Northwest 1/4 of the Southeast 1/4), Southeast 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, all in Section 8, T. 26 N., R. 22 E.W.M., Douglas County, Washington.

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DESCRIPTION OF PROPOSED WORKS

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A 100 horsepower pump with 8-inch diameter mainline. Length of system is approximately one mile. The system is all underground with permanent set sprinklers.

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DEVELOPMENT SCHEDULE

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BEGIN PROJECT BY THIS DATE: Begun	COMPLETE PROJECT BY THIS DATE: October 1, 1990	WATER PUT TO FULL USE BY THIS DATE: October 1, 1991
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REPORT

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Background

On February 23, 1989, Earl and Kathy Drinkwater of Orondo, Washington, filed an application for permit to appropriate public surface water from the Columbia River. The application was accepted and assigned No. S4-29942. Public notice was made with no protest being filed within the 30 day filing period. On April 12, 1989, the Department of Ecology issued a temporary permit to appropriate 2.0 cubic feet per second (cfs), 356 acre-feet per year, for frost control and irrigation during the irrigation season.

Investigation

The following information was obtained through research of office records.

Jay Johnson, an attorney for Indian Rapids Ranch, Inc., filed this application in the name of Earl and Kathy Drinkwater. The Drinkwaters purchased an orchard from Indian Rapids Inc. and the sale was conditioned on the Drinkwaters being able to acquire a permit to withdraw water from the Columbia River.

The property being considered for permit has an established orchard that has historically been irrigated out of the Columbia River. There are 15 acres of producing apple trees ranging in age from five to fifteen years and 5 acres of producing cherry trees ranging in age from five to twenty-five years. There are no existing permits, certificates, or claims for the property.

The annual water requirement for the production of fruit crops in this general area is calculated on the basis of 4 acre-feet per acre per year for a total of 340 acre-feet for the irrigation of 85 acres.

The existing system consists of a 30 horsepower pump with a 4 inch diameter main line. The length of the irrigation system is approximately 3/8 mile. The system is all underground with permanent set sprinklers. The system is utilized for irrigation, spraying insecticides, herbicides, and frost control.

The applicants propose to upgrade the system to a 100 horsepower pump with an 8 inch main line. The length of the proposed system is approximately one mile. The applicants will also develop an additional 65 acres of orchard.

The point of diversion from the Columbia River is located approximately 1850 feet east and 2700 feet north of the southeast corner of Section 8, being within Government Lot 5, of Section 8, T. 26 N., R. 22 E.W.M., in Douglas County.

Water is to be used for frost protection, and irrigation of 85 acres from March 15 to October 31 within the following described land:

Government Lot 4, (Southeast 1/4 of the Northwest 1/4), Government Lot 5, (Southwest 1/4 of the Northeast 1/4), Government Lot 6, (Northwest 1/4 of the Southeast 1/4), Southeast 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, all in Section 8, T. 26 N., R. 22 E.W.M., Douglas County, Washington.

The quantity of water required for the project is limited to 2.0 cfs; 16 acre-feet per year for frost protection and 340 acre-feet per year for irrigation during the irrigation season from April 15 to October 31. The total annual water consumption being 356 acre-feet.

Under authority of the Water Resources Act of 1971, Chapter 90.54 of the Revised Code of Washington (RCW), the Department of Ecology adopted the Columbia River Instream Resources Protection Program, Chapter 173-563 of the Washington Administrative Code (WAC), on June 23, 1980. This chapter of the Washington Administrative Code was adopted to promote proper utilization of the water resources of the Columbia River and to protect and ensure the viability of the instream resource values associated with the mainstem of the Columbia River in the future through the establishment of minimum flows and conservation and efficiency fundamentals relating to out-of-stream and instream uses and values. Each water right application being considered for a permit after the date of adoption of WAC 173-563 must be evaluated relative to the conservation and efficiency fundamentals and will be subject to the instream flows adopted for the appropriate river reach.

The Columbia River is subject to minimum flow provisions as specified in WAC 173-563-040 and WAC 173-563-050.

The Department of Fish and Wildlife will need to be notified for this project.

#### Conclusions

The following conclusions are drawn from the information obtained.

Water is available for the proposed use.

The proposed water diversion will not impair existing rights nor be contrary to the public interest.

#### Recommendations

Based upon the information obtained and the conclusions drawn, I recommend that a permit be issued to Earl and Kathy Drinkwater authorizing the diversion of 2.0 cfs, 356 acre-feet per year for frost control and irrigation between March 15 and October 31.

That portion of this authorization relating to irrigation is classified as a FAMILY FARM PERMIT in accordance with Chapter 90.66 RCW (Initiative Measure No. 59). This means the land being irrigated under this authorization shall comply with the following definition: Family Farm - a geographic area including not more than 2,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 2,000 acres of irrigated agricultural lands in the State of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

This authorization is subject to Washington Department of Fisheries juvenile salmon screening criteria (pursuant to RCW 75.20.040) and/or Washington Department of Wildlife gamefish screening criteria. Please contact the Department of Wildlife, 600 Capitol Way N, Olympia, Washington 98501-1091, Attention: Habitat Management Division, Phone: (206)-753-3318 to obtain specific gamefish (trout, bass, etc.) requirements for your project. Washington Department of Fisheries juvenile salmon screening criteria are attached to the Report of Examination if applicable to your diversion.

This authorization is subject to the following minimum flow provisions as specified in WAC 173-563-040 and WAC 173-563-050 and the following table. It is subject to regulation by the Department of Ecology for protection of instream resources whenever the March 1 forecast of April-September runoff at The Dalles is 60 MAF or less, and when gaged flow are predicted by the BPA 30-Day Power Operation Plan to violate the following minimum flow provisions at:

Primary Control Station: Wells Dam  
River Mile: 515.6

Minimum Average Weekly Flows  
Columbia River Projects  
(1,000 cubic feet/second)

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Wells & Rocky Reach\*

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Jan	30
Feb	30
Mar	30
Apr. 1-15	50
16-25	60
26-30	100
May	115
June 1-15	110
16-30	80
Jul 1-15	80
16-31	100
Aug	90
Sept	40
Oct 1-15	35
16-31	35
Nov	30
Dec	30

\* For the reach from Grand Coulee through Wanapum, minimum average weekly flows shall be as shown above, or as necessary to maintain minimum flows (subject to low runoff and adjustment) at Priest Rapids, whichever is higher. As provided in WAC 173-563-050(1), the minimum average weekly flows set forth in this subsection are subject to a reduction of up to 25 percent during low flow years, except that in no case shall the outflow from Priest Rapids Dam be less than 36,000 cfs.

Use of water under this authorization shall be contingent upon the water right holder's utilization of up-to-date water conservation practices and maintenance of efficient water delivery systems consistent with established regulation requirements and facility capabilities.

Use of water under this authorization can be expected to be curtailed at least once in every 20 years.

REPORT BY:

Bucky Johnson for  
Kevin Bergstrom

DATE:

9/8/89

APPROVED BY:

Doug Clausing  
Doug Clausing, Section Supervisor

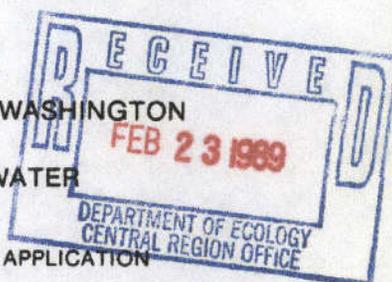
DATE:

9/8/89



APPLICATION FOR PERMIT  
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

SURFACE WATER  GROUND WATER



\$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION  
(GRAY BOXES FOR OFFICE USE ONLY)

APPLICATION NO <b>5429942</b>	W.R.I.A. <b>44</b>	COUNTY <b>Douglas</b>	PRIORITY DATE <b>2-23-89</b>	TIME	ACCEPTED <b>SMC</b>
----------------------------------	-----------------------	--------------------------	---------------------------------	------	------------------------

APPLICANT'S NAME - PLEASE PRINT  
**(Earl Drinkwater and Kathy Drinkwater)**

Bus. Tel. **(509) 663-4459**  
Home Tel. **(509) 663-4459**  
Other Tel. \_\_\_\_\_

ADDRESS (STREET) (CITY) (STATE) (ZIP CODE)  
**Star Route, Box 65, (Orondo, Washington) 98843**

DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION

1. SOURCE OF SUPPLY

IF SURFACE WATER	IF GROUND WATER
SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE) <b>(Columbia River)</b>	SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.)
TRIBUTARY	SIZE AND DEPTH

2. USE  
USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.) **and frost control**

ENTER QUANTITY OF WATER REQUESTED USING UNITS OF:	CUBIC FEET PER SECOND (CFS) <b>(2)</b>	OR	GALLONS PER MINUTE (GPM) <b>900</b>	ACRE FEET PER YEAR
---	---	----	--	--------------------

TIMES DURING YEAR WATER WILL BE REQUIRED  
**March 15th to November 1st (Frost Protection and <sup>Irrig. during</sup> Regular Irrigation Season)**

IF IRRIGATION, NUMBER OF ACRES <b>85</b>	IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC.	IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY
DATE PROJECT WAS OR WILL BE STARTED <b>Early 1900</b>	DATE PROJECT WAS OR WILL BE COMPLETED <b>Early 1900</b>	

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

A. IF IN PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)	SECTION	TOWNSHIP	RANGE	ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION. See attached exhibits
<b>5</b>		<b>(SW 1/4 NE 1/4)</b>	<b>8</b>	<b>26</b>	<b>22</b>	<b>Douglas</b>

B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION. SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER.  
ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)	SECTION	TOWNSHIP N.	RANGE (E. OR W.) W.M.	COUNTY
---	---------	-------------	-----------------------	--------

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER  
**Yes**

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED  
ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.

**Government Lot 4, (i.e. Southeast 1/4 of the Northwest 1/4), Government Lot 5, (i.e. Southwest 1/4 of the Northeast 1/4), Government Lot 6 (i.e. Northwest 1/4 of the Southeast 1/4), Southeast 1/4 of the Southwest 1/4, Northeast 1/4 of the Southwest 1/4, all in Section 8, Township 26 North, Range 22 East of the Willamette Meridian Douglas County, Washington.**

WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

Contract Purchaser

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES)

YES  NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

See Notice of Claim and Appropriation documents attached as Exhibits to this application.

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

Existing System. The existing system consists of a 30 h.p. pump with a four inch (4") diameter mainline. This system is currently serving 15 acres of producing apple trees ranging from five (5) to fifteen (15) in age and five (5) acres of producing cherries ranging from five (5) to twenty five (25) years of age. The length of the existing irrigation system is approximately 3/8 of a mile. The existing system is all underground with permanent set sprinklers. The existing system utilized herbicides for irrigation, spraying insecticides, and frost control.

Proposed System. The proposed system will withdraw water from the same approximate point of diversion as the existing pumping system. The proposed system will

REMARKS  
7. have a 100 h.p. pump with an eight (8") inch main line. The proposed system will be a permanent set irrigation system which will be used for irrigation, spraying and frost control. The length of the proposed system will be approximately one mile.

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

INDIAN RAPIDS RANCH INC.  
LEGAL LANDOWNERS NAME  
(PLEASE PRINT)

Eral Dinkwater  
APPLICANT'S SIGNATURE

Michael J. Ball Vice Pres.  
LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

1628 HORSESHOE RD, WENATCHEE, W.N.  
LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON }  
DEPARTMENT OF ECOLOGY } ss.

429912

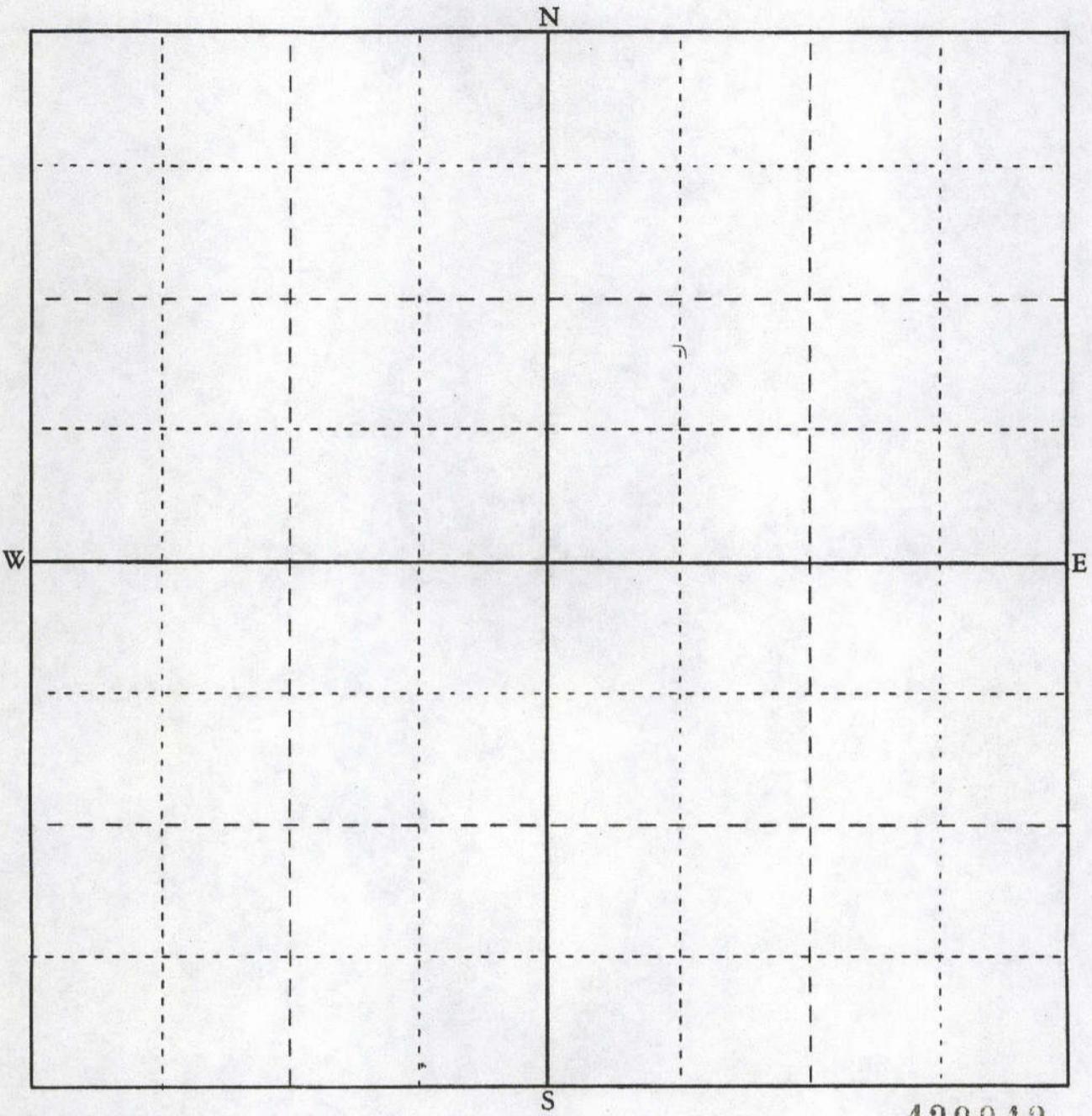
This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows: .....

.....  
In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before....., 19.....

Witness my hand this.....day of....., 19.....

SECTION MAP

Sec. 8 Twp. 26 N. R. 22



429942

Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile. Indicate traveling directions from nearest town in space below.

Longitude: 120°06'00" West of the Greenwich Meridian

Latitude: 47°45'56" North of the Equator

See attached Exhibits for more information

Detach here

Fold along scale



Detach this scale at the perforation, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.



429942

COMPLETE THIS FORM ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

In order to implement the provisions of Initiative Measure Number 59, the Family Farm Water Act which was passed by the voters on November 3, 1977, we must ask the following question:

Does the total number of acres in which you have controlling interest in the State of Washington exceed 2000 acres for the following three categories:

1. Lands that are being irrigated under water rights acquired after December 8, 1977.
2. Lands that may be irrigated under applications now on file with the Department of Ecology.
3. Lands that may be irrigated under this application.

YES

NO

Please sign and return

William D. Cox      Jan K Cox 20 Feb 89  
(Signature of Landowner)      William D. Cox

\_\_\_\_\_  
(Date)



49942

RESPONSE FORM

I have read the letter from the Department of Ecology explaining the options available to me for further disposition of my application. My selection is indicated below.

Check one option, please.

Option 1 Please accept my application and hold it on file until action can be taken to consider issuance of a permanent water right.

Option 2 Please accept my application and proceed to consider issuance of a temporary permit. I understand that if a temporary permit is issued, there is no guarantee (1) that a permanent water right will be issued after expiration of the temporary permit, and (2) that more stringent conditions will not be included if a permanent water right is issued. I further understand that a temporary permit will not be considered for issuance immediately. Existing applications on file which are not subject to the moratorium will generally be evaluated first.

Option 3 I prefer not to apply at this time. I understand that I may apply at a later date, and that my application will receive a priority date based on when it is received by the Department of Ecology.

If you selected Option 3, please complete this brief checklist:

The project I am considering involves appropriation of (check one)

Ground Water

Surface Water

The uses to which I would like to apply the water are (check as many as apply)

Domestic (how many homes?) \_\_\_\_\_

Irrigation (how many acres?) 100

Stock Water

Frost Control (how many acres?) 100

Other (please describe) Insecticide and herbicide spraying

RETURN TO:

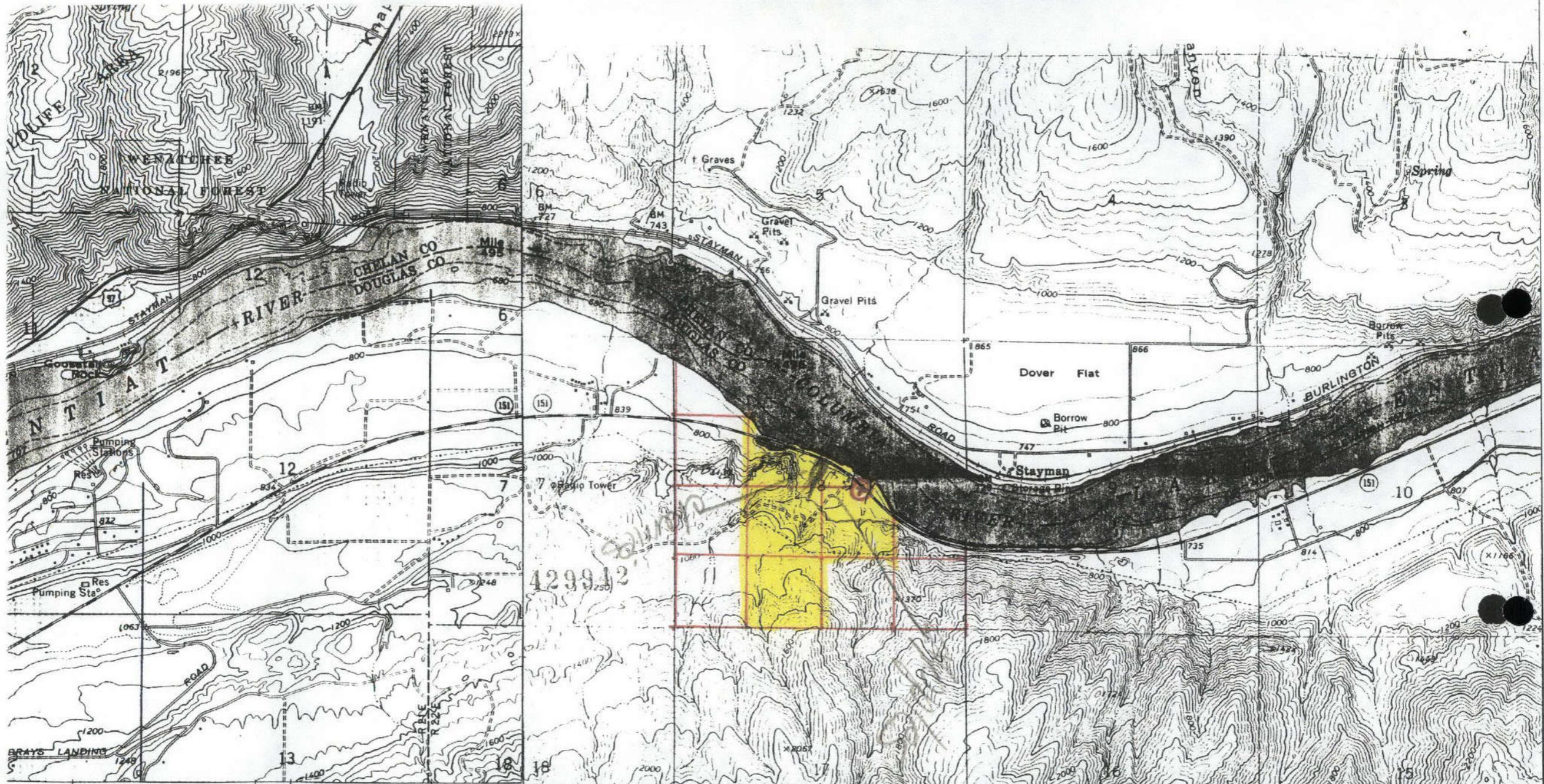
Department of Ecology  
3601 W. Washington  
Yakima, WA 98903

William D. Cox  
NAME (please print or type)

William D. Cox  
SIGNATURE

20 Feb 89  
DATE

Jay K Cox



713 714 715000m E 120° 07' 30" 716 717 718 719 720 (WATERVILLE) 1979 II NE 721

ROAD CLASSIFICATION

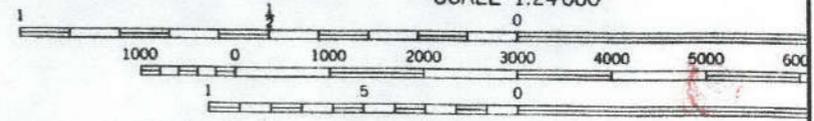
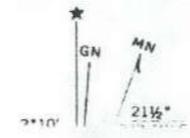
Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

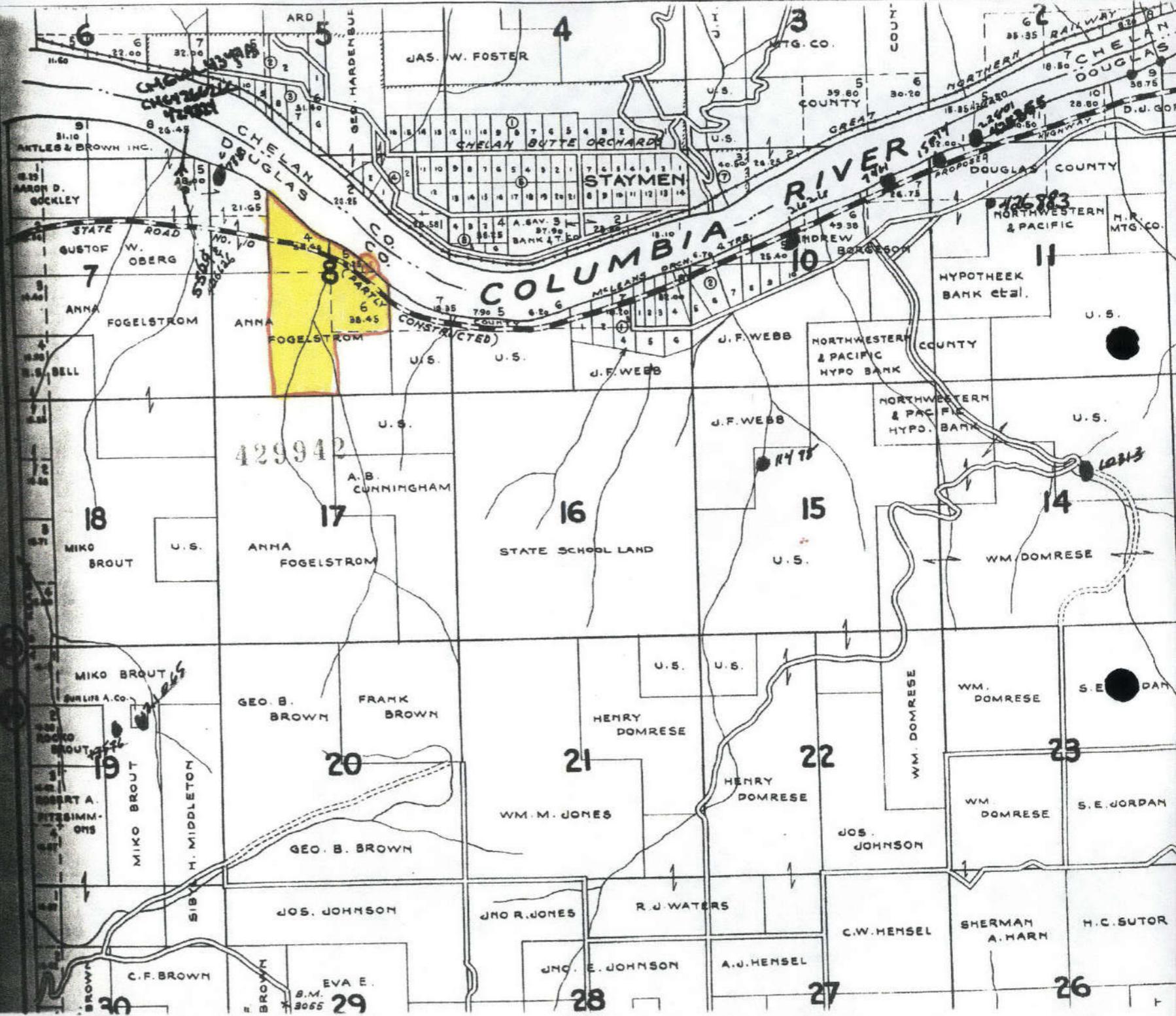
Topography by photogrammetric methods from aerial photographs taken 1967. Field checked 1968

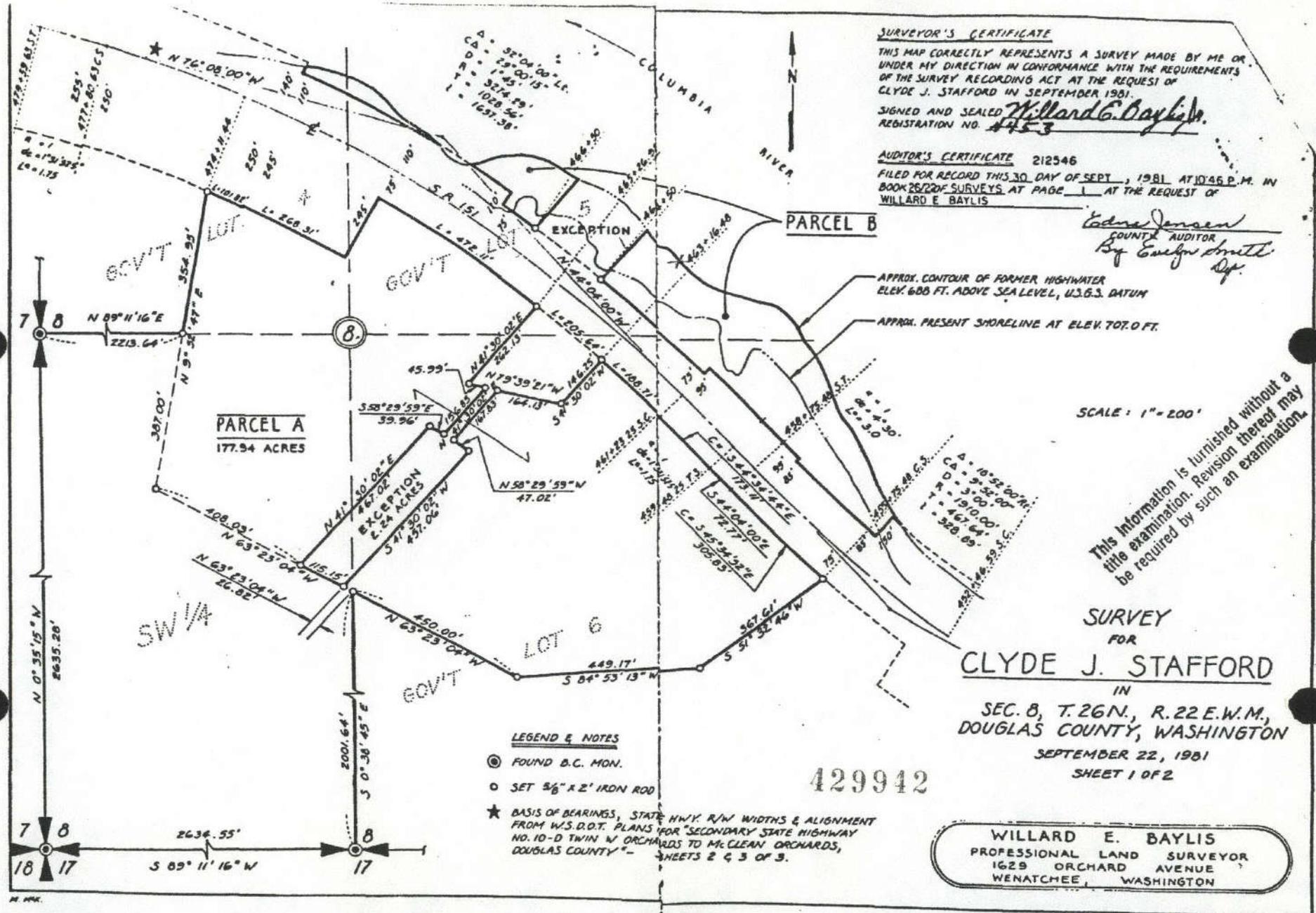
Polyconic projection. 1927 North American datum

ENTIA  
1979 II NW



CONTOUR INTERVAL 40 FEET





**SURVEYOR'S CERTIFICATE**  
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CLYDE J. STAFFORD IN SEPTEMBER 1981.  
 SIGNED AND SEALED *Willard E. Baylis*  
 REGISTRATION NO. 4453

**AUDITOR'S CERTIFICATE** 212546  
 FILED FOR RECORD THIS 30 DAY OF SEPT, 1981 AT 10:46 P.M. IN BOOK 2622 OF SURVEYS AT PAGE 1 AT THE REQUEST OF WILLARD E. BAYLIS  
*Edna Jensen*  
 COUNTY AUDITOR  
 By *Eugene Smith* Sp.

SCALE: 1" = 200'

This information is furnished without a title examination. Revision thereof may be required by such an examination.

**SURVEY FOR**  
**CLYDE J. STAFFORD**  
 IN  
 SEC. 8, T. 26 N., R. 22 E. W.M.,  
 DOUGLAS COUNTY, WASHINGTON  
 SEPTEMBER 22, 1981  
 SHEET 1 OF 2

**WILLARD E. BAYLIS**  
 PROFESSIONAL LAND SURVEYOR  
 1629 ORCHARD AVENUE  
 WENATCHEE, WASHINGTON

**LEGEND & NOTES**  
 ● FOUND B.C. MON.  
 ○ SET 3/8" x 2" IRON ROD  
 ★ BASIS OF BEARINGS, STATE HWY. R/W WIDTHS & ALIGNMENT FROM W.S.D.O.T. PLANS FOR "SECONDARY STATE HIGHWAY NO. 10-D TWIN W ORCHARDS TO McCLEAN ORCHARDS, DOUGLAS COUNTY" - SHEETS 2 & 3 OF 3.

SEP 30 1981

THIS SKETCH IS FURNISHED FOR INFORMATION PURPOSES ONLY TO ASSIST IN PROPERTY LOCATION WITH REFERENCE TO STREETS AND OTHER PARCELS. IT IS NOT GUARANTEED AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON.

SEP 30 1981

-PARCEL A -  
 =STAFFORD'S

Survey  
 26/22

B-2327-1

DRINKWATER

DIVERSION: LONG. 120° 06' 00" WEST LAT. 47° 45' 50" NORTH.

151

SW 1/4 NW 1/4

GOVT. LOT 4  
(SE 1/4 NW 1/4)

GOVT. LOT 5  
(SW 1/4 NE 1/4)

NW 1/4 SW 1/4

NE 1/4 SW 1/4

STAYMAN

8

GOVT. LOT 6  
(NW 1/4 SE 1/4)

SW 1/4 SW 1/4

SE 1/4 SW 1/4

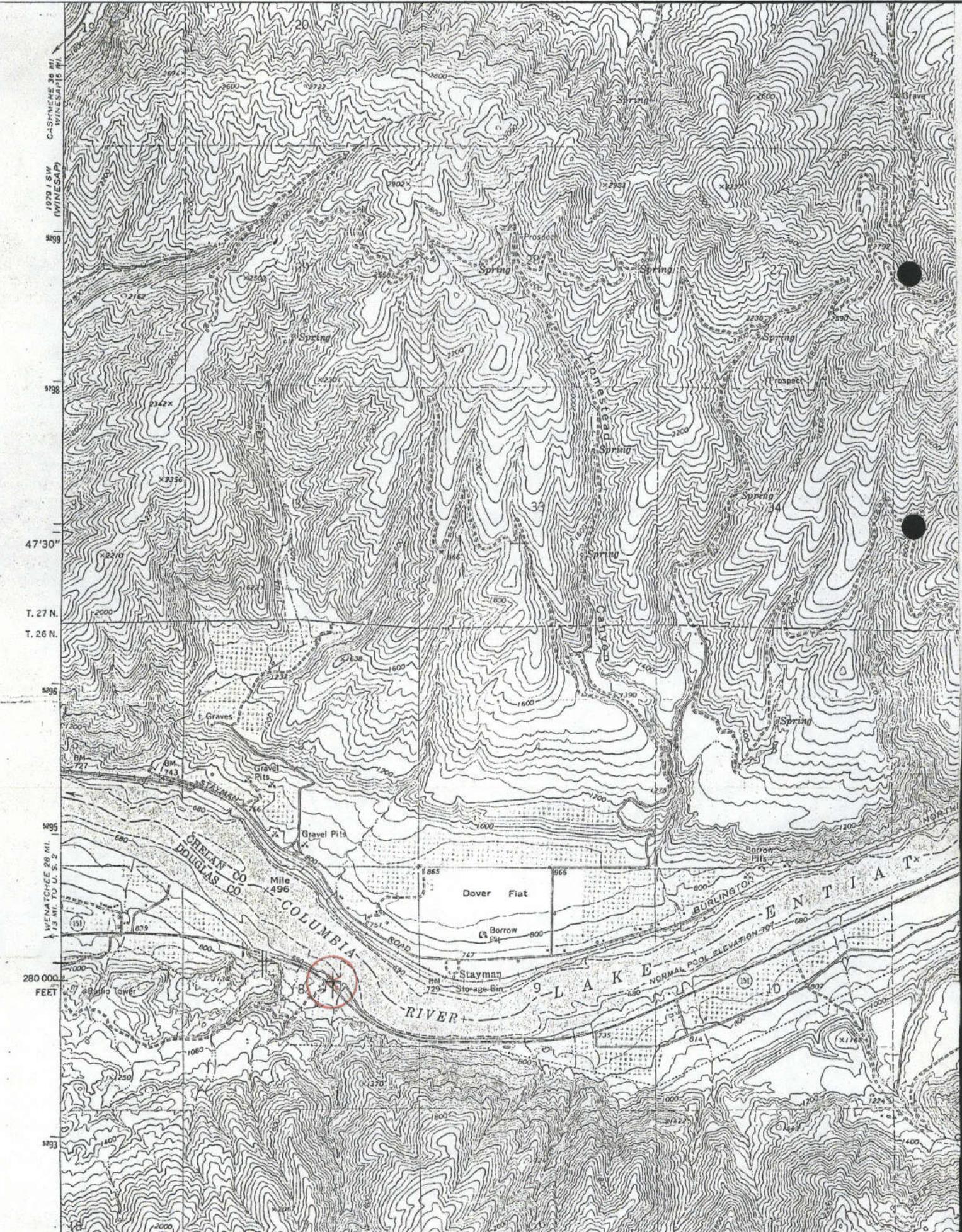
SW 1/4 SE 1/4

C.S. 0930

R

SR 97 MP 227  
1" = 400' ± 1979

10



47°45'  
120°07'30"

WENATCHEE 28 MI.  
1/3 MI. TO U.S. 2

280 000  
FEET

47°30"  
T. 27 N.  
T. 26 N.

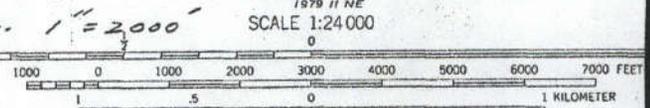
CASHMERE 36 MI.  
WINESAP 16 MI.

Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography by photogrammetric methods from aerial  
photographs taken 1967. Field checked 1968  
Polyconic projection. 1927 North American datum  
10,000-foot grid based on Washington coordinate system,  
north zone  
1000-meter Universal Transverse Mercator grid ticks,  
zone 10, shown in blue  
Red tint indicates areas in which only  
landmark buildings are shown  
Fine red dashed lines indicate selected fence lines

CHELAN, WA. 1" = 2000'



UTM GRID AND 1968 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 40 FEET  
DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON,  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

*DRINKWATER*  
*DIVISION: LONG 120° 06' 00" WEST*  
*LAT 47° 45' 56" NORTH.*



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

November 16, 2009

Earl and Kathy Drinkwater  
1 Drinkwater Dr.  
Orondo, WA 98843-9704

Re: Water Right No. S4-29942P

Dear Mr. and Mrs. Drinkwater:

Your development schedule required you to submit a *Proof of Appropriation of Water* by October 1, 2006. If you have fully developed your project, please fill out the enclosed *Proof of Appropriation of Water*, for the quantity of water actually used, and return it by **December 16, 2009**.

If you have not yet put the water to full beneficial use, you must request an extension and pay a fee or your change authorization/permit may be cancelled. Please refer to the enclosed *Frequently Asked Questions Sheet* for more information.

On a separate note, it appears you may have developed outside the "Place of Use" given on Surface Water Permit No. S4-29942P. Please see the enclosed aerial photograph taken in 2006. The "Place of Use" for No. S4-29942P is outlined in yellow, and irrigated property in your ownership (from Douglas County Assessor's data) is outlined in blue. As of 2006, approximately 66 acres appear to have been developed.

I would like to discuss this with you as soon as possible. Please contact me at the address/phone numbers given below. I look forward to hearing from you.

Sincerely,

Thomas Perkow  
Watermaster  
Office of Columbia River

WDOE – Wenatchee Field Office  
303 S. Mission St., Ste. 200  
Wenatchee, WA 98801-6142  
(509) 662-0512 (office)  
(509) 435-7340 (cell)  
tper461@ecy.wa.gov

FILE COPY

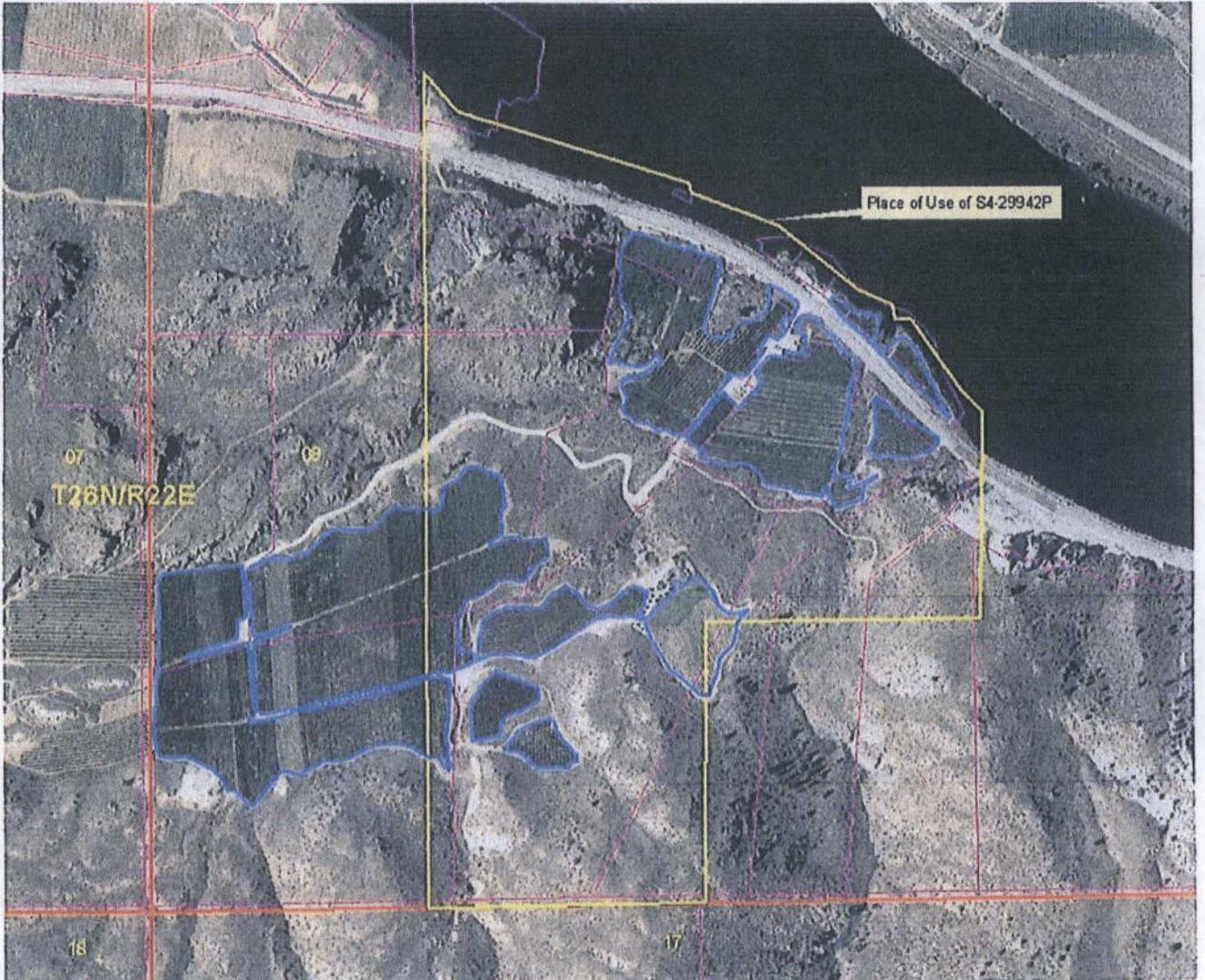


Earl and Kathy Drinkwater  
November 16, 2009  
Page 2

TP:gh  
091119

Enclosures: *Proof of Appropriation of Water  
Extensions for Water Right Permits and Change Authorizations*

Cc: Stephen E. Syre, Pacific Intermountain Mortgage Co.



**2006 Aerial Photography**

**Yellow outline:** "Place of Use" described in Permit S4-29942P

**Blue outline:** Irrigated land owned by Earl and Kathy Drinkwater (Douglas County Assessor data)

**Purple outline:** Douglas County Parcels

**Red outline:** Section lines



# Water Resources Program

## PROOF OF APPROPRIATION OF WATER

Date Stamp

Reviewed by:

PERMIT NUMBER <i>54-29942P</i>	CHANGE APPROVAL NUMBER
-----------------------------------	------------------------

NAME OF PERMITTEE <i>Earl &amp; Kathy Drinkwater</i>		CONTACT NAME (IF DIFFERENT)	
MAILING ADDRESS (STREET) <i>1 Drinkwater Drive</i>	(CITY) <i>Orondo</i>	(STATE) <i>WA</i>	(ZIP CODE) <i>98843</i>
PHONE NUMBER <i>509-682-2057</i>	FAX NUMBER <i>509 784-2057</i>		

SOURCE(S) OF WATER <i>Columbia River</i>	LOCATION OF SOURCE(S)				
	NO. <i>1</i>	1/4 <i>Gov Lot 5</i>	SECTION <i>8</i>	TOWNSHIP N. <i>26</i>	RANGE, (E/W)M <i>22</i>
LIST ALL PURPOSES WATER IS USED FOR: <i>16 acre-feet per year for frost protection of 70 acres</i> <i>340 acre-feet per year for irrigation of 70 acres</i>					
DATE WATER WAS COMPLETELY APPLIED TO BENEFICIAL USE <i>2005</i>	TIME OF YEAR WATER IS USED: <input type="checkbox"/> Continuous/Year round <input checked="" type="checkbox"/> Seasonal		IF SEASONALLY, LIST THE START AND END DATE Start: <i>03/15</i> End: <i>10/31</i>		
DESCRIBE HOW CONSTRUCTION AND DEVELOPMENT RELATED PROVISIONS (AS REQUIRED BY PERMIT) HAVE BEEN OR ARE TO BE MET (USE ADDITIONAL SHEET OF PAPER IF NECESSARY) <i>water applied per provisions on permit</i>					

DESCRIPTION OF SPECIFIC AREA ON WHICH WATER IS BENEFICIALLY USED (USE ADDITIONAL SHEET OF PAPER IF NECESSARY): <i>Maps + Legal descriptions attached</i>					
NO.	1/4	1/4	SECTION	TOWNSHIP N.	RANGE, (E/W)M

### PHYSICAL WITHDRAWAL OR DIVERSION INFORMATION

Point of Diversion/Withdrawal Tax Parcel #: *2622082007*

#### For Pump Designed Water System Information:

TYPE OF PUMP:  Submersible  Turbine  Centrifugal  Other *Back up pump* 1/P  
SO

MAKE <i>US Motors</i>	MODEL # <i>Simmons</i>	SERIAL #	HORSEPOWER <i>125</i>
MOTOR	BHP	SPEED	RPM
<input type="checkbox"/> Water lubricated <input type="checkbox"/> Oil Lubricated			
BOOSTER PUMP <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	BREAK HORSEPOWER	PRESSURE	OPEN DISCHARGE <input type="checkbox"/> Yes <input type="checkbox"/> No
PUMP DISCHARGE HEAD PRESSURE <i>265 psi</i>	DISCHARGE PIPE DIAMETER <i>8" main line</i>		

#### For Ground Water Withdrawal (if more than one, please include attachment)

Ecology Unique Well Identification Number(s) \_\_\_\_\_ [Include a copy of the well log(s)]

PUMP SETTING (DEPTH)	STATIC WATER LEVEL feet below land surface	DYNAMIC (PUMPING) LEVEL feet below land surface
ACCESS PORT INSTALLED? <input type="checkbox"/> Yes	AIRLINE INSTALLED? <input type="checkbox"/> Yes	AIRLINE LENGTH Ft.

#### For Non-Pump Designed Water Systems

METHOD OF WATER DIVERSION	DESCRIPTION OF WORKS	
	SCREEN MESH SIZE	METHOD OF CONTROL

**USE OF WATER FOR:**

**1. Irrigation (Please include map of all irrigated lands):**

TYPE OF SYSTEM <i>under tree sprinklers</i>	NUMBER OF SPRINKERS OR EMMITERS	SPRINKLER/EMMITER MAKE	MODEL & RATED DISCHARGE
SIZE NOZZLE/EMMITER OPENINGS <i>varies</i>	AVERAGE PRESSURE AT SPRINKLER/EMMITER HEADS	NUMBER OF ACRES DEVELOPED <i>70</i>	TYPE OF CROP(S) <i>Apples + Cherries</i>

**2. Municipal or Domestic Supply**

NUMBER OF DOMESTIC UNITS CURRENTLY SERVED:	NUMBER OF DOMESTIC UNITS TO BE SERVED	POPULATION CURRENTLY SERVED
--	---------------------------------------	-----------------------------

ALSO, provide the following information, if applicable:

- Department of Health public water system identification number.
- Map of the delivery system (provide copy if water system is done)
- Map of present service area and lots presently using water (Non-Municipal Users).
- If platted property, provide copy of the file plat map or file reference number Non-Municipal Users).
- Other incidental beneficial uses associated with the domestic supply (Non-Municipal Users).

**3. Industrial or Commercial**

TYPE OF INDUSTRY OR COMMERCIAL PROCESS
--

If a waste discharge permit is required for the facility, include a reference to the permit number \_\_\_\_\_

4. Other Use of Water (describe): \_\_\_\_\_

**WATER USE AND \*MEASUREMENT**

IS A FLOW METER OR MEASURING DEVICE INSTALLED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	LOCATION OF METER(S) OR MEASURING DEVICE(S)		
MAKE	SERIAL NUMBER	INSTALLATION DATE	INSTALLED BY:
METER READING	DATE		

\*Include copy of meter specifications

Actual amount withdrawn or diverted from permanent system on an instantaneous and annual basis. Please include meter data or describe method used to estimate annual volume.

CUBIC FEET PER SECOND <i>340 ~</i>	ACRE FEET PER YEAR <i>340 ~</i>	GALLONS PER MINUTE	TOTAL GALLONS PER YEAR
---------------------------------------	------------------------------------	--------------------	------------------------

If the existing water use as indicated by meter data, etc., is less than you anticipate to be the full extent of the water right which you are reporting through submission of this form, please explain on a separate sheet.

I, \_\_\_\_\_, do certify that I have completed appropriation of water under Water Right Permit or approved water right change number, \_\_\_\_\_. This notice and attached documents are true and accurate statements and describe and support my assertion that I have satisfied the terms of the permit/change in compliance with the law.

\_\_\_\_\_  
Permittee(s) Signature

\_\_\_\_\_  
Date

State of Washington  
County of \_\_\_\_\_

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ by \_\_\_\_\_

Seal  
or  
Stamp

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

My appointment expires \_\_\_\_\_

DRINKWATER 11-01

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CLYDE J. STAFFORD IN SEPTEMBER 1981.

SIGNED AND SEALED *Willard E. Baylis*  
REGISTRATION NO. 4453

AUDITOR'S CERTIFICATE 212546

FILED FOR RECORD THIS 30 DAY OF SEPT, 1981 AT 10:46 P.M. IN BOOK 2622 OF SURVEYS AT PAGE 1 AT THE REQUEST OF WILLARD E. BAYLIS

*Edna Jensen*  
COUNTY AUDITOR  
By *Eugene Smith*  
Clerk

APPROX. CONTOUR OF FORMER HIGHWATER  
ELEV. 600 FT. ABOVE SEA LEVEL, U.S.G.S. DATUM  
APPROX. PRESENT SHORELINE AT ELEV. 707.0 FT.

SCALE: 1" = 200'

This information is furnished without a title examination. Revision thereof may be required by such an examination.

SURVEY FOR CLYDE J. STAFFORD

IN SEC. 8, T. 26N., R. 22E.W.M., DOUGLAS COUNTY, WASHINGTON

SEPTEMBER 22, 1981

SHEET 1 OF 2

WILLARD E. BAYLIS  
PROFESSIONAL LAND SURVEYOR  
1629 ORCHARD AVENUE  
WENATCHEE, WASHINGTON

LEGEND & NOTES

- ⊙ FOUND O.C. MON.
- SET 3/8" x 2' IRON ROD
- ★ BASIS OF BEARINGS, STATE HWY. R/W WIDTHS & ALIGNMENT FROM W.S.D.O.T. PLANS FOR "SECONDARY STATE HIGHWAY NO. 10-D TWIN W ORCHARDS TO McCLEAN ORCHARDS, DOUGLAS COUNTY" - SHEETS 2 & 3 OF 5.

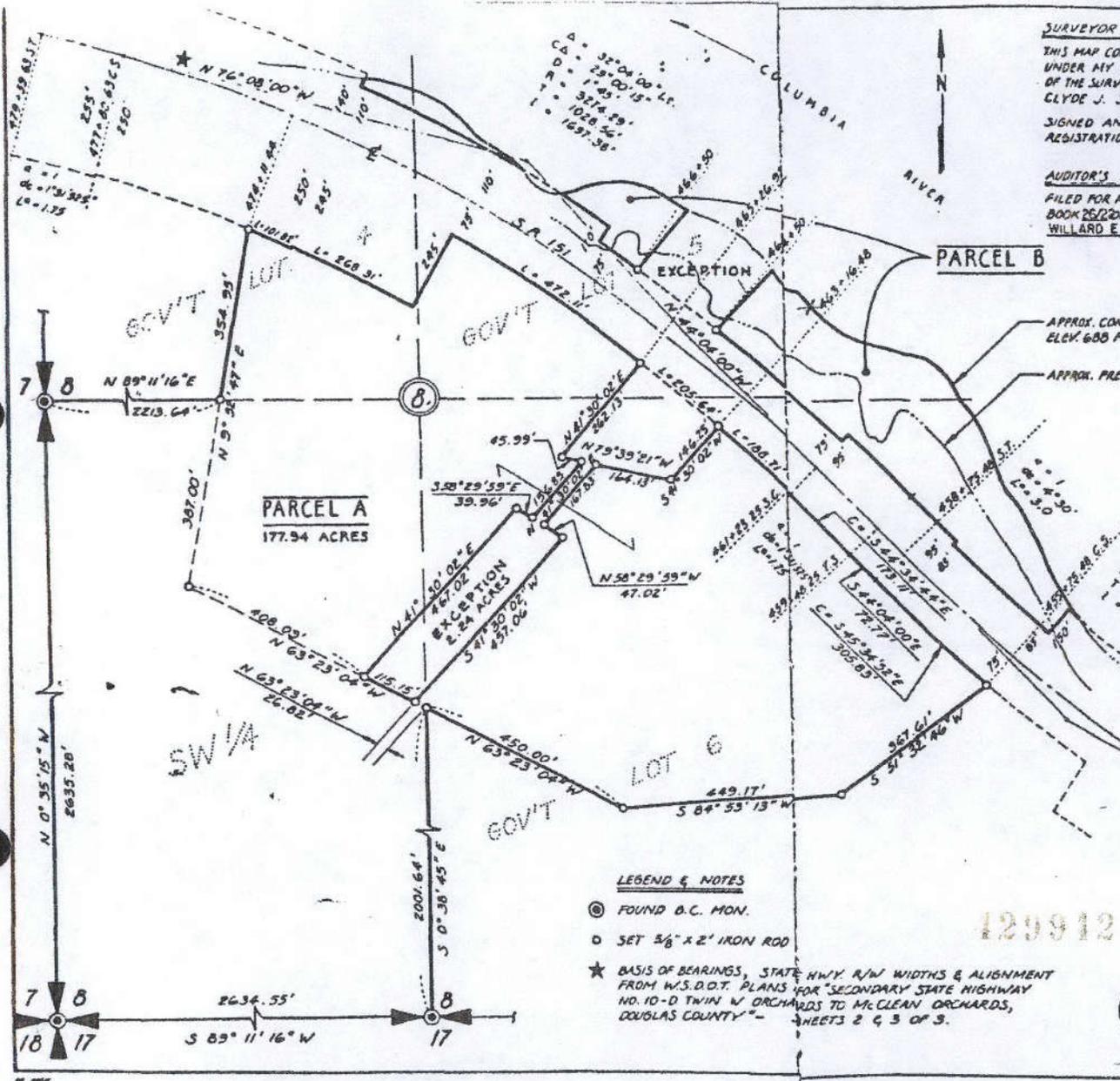
129912

B-2327-1

SEP 30 1981

- PARCEL A -  
= STAFFORD'S

Survey  
26/22 - 1



THIS SKETCH IS FURNISHED FOR INFORMATION PURPOSES ONLY TO ASSIST IN PROPERTY LOCATION WITH REFERENCE TO STREETS AND OTHER PARCELS. IT IS NOT GUARANTEED AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON.

SEP 30 1981

DW 1-8

# DOUGLAS COUNTY WASHINGTON

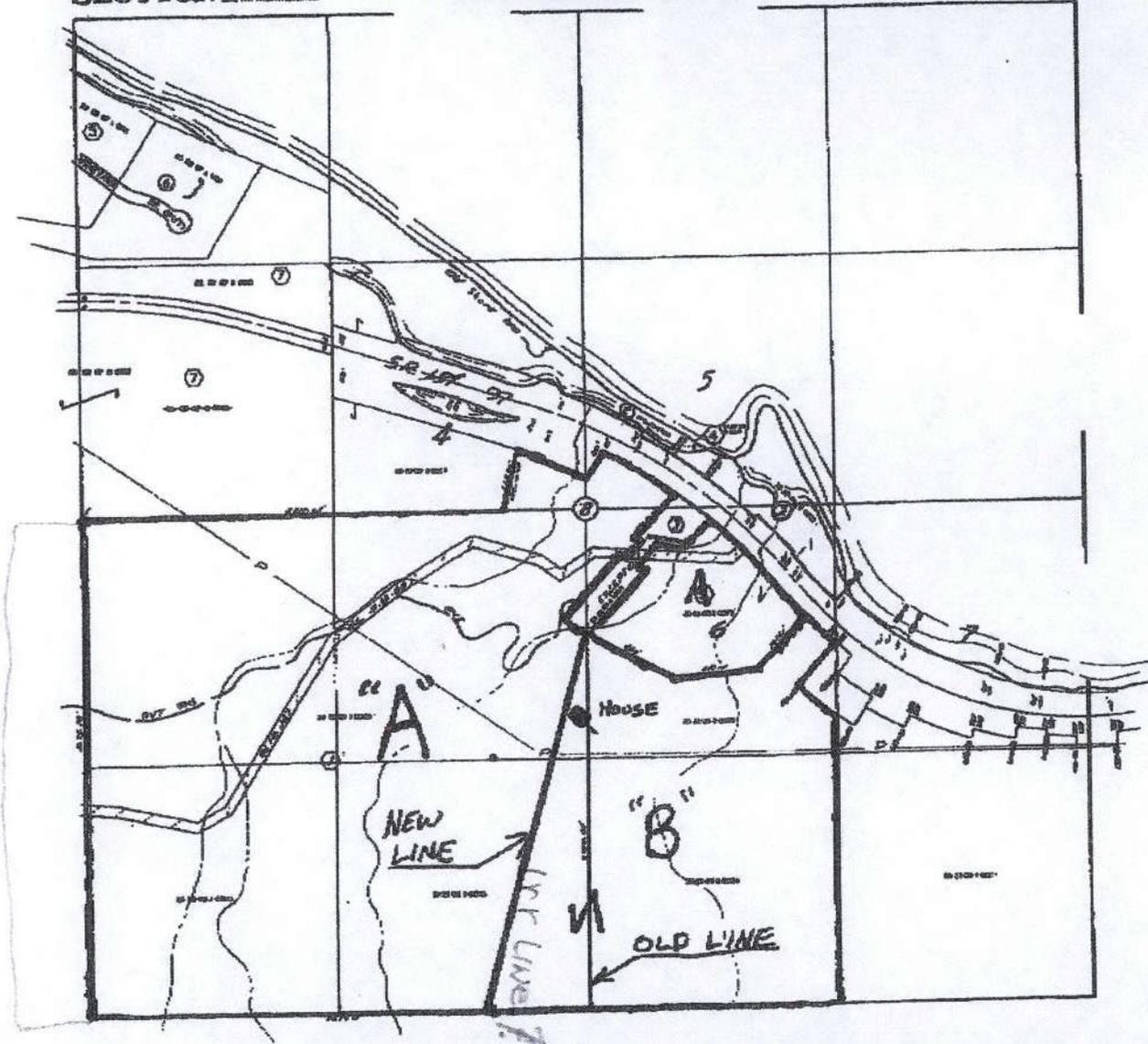
SCALE 1" = 400'

SECTION 9

TOWNSHIP 26

RANGE 22

TOTAL P. 01



↑N

1/3



# Legal Description

Order No.

73142

Page No.

2

## EXHIBIT "A"

### Parcel A:

The Southwest quarter and portions of Government Lots 4, 5 and 6, lying Southerly of S.R. 151, all in Section 8, Township 26 North, Range 22, E.W.M., in Douglas County, Washington, more particularly described as follows:

Commencing at the Southwest corner of said Section 8, a brass cap monument and the true point of beginning for this description; thence North  $0^{\circ}35'15''$  West along West line of said Section 8 for 2635.28 feet to the West quarter corner, a brass cap monument; thence North  $89^{\circ}11'16''$  East along the East-West center of Section line for 2213.64 feet to a  $5/8'' \times 2'$  iron rod; thence North  $9^{\circ}52'47''$  East for 354.95 feet to a  $5/8'' \times 2'$  iron rod on the Southerly right of way of S.R. 151 at H.E.S. 474+11.44; thence along said right of way on a curve right, defined by a chord bearing South  $67^{\circ}09'22''$  East for 101.82 feet and a radius of 3024.29 feet through a central angle of  $1^{\circ}55'44''$  for 101.82 feet to a point; thence North  $23^{\circ}48'30''$  East along said right of way for 5.00 feet to a point; thence along said right of way on a curve right, defined by a chord bearing South  $63^{\circ}39'16''$  East for 268.22 feet and a radius of 3029.29 feet through a central angle of  $5^{\circ}04'29''$  for 268.31 feet to a point; thence North  $28^{\circ}52'59''$  East along said right of way for 170.00 feet to a point; thence along said right of way on a curve right, defined by a chord bearing South  $53^{\circ}21'30''$  East for 863.81 feet and a radius of 3199.29 feet through a central angle of  $15^{\circ}31'02''$  for 866.46 feet to a point of curve to spiral at H.E.S. 461+23.25; thence along said right of way on a spiral curve right, defined by a chord bearing South  $44^{\circ}34'44''$  East for 173.11 feet to the point of tangent to spiral at H.E.S. 459+48.25; thence South  $44^{\circ}04'00''$  East along said right of way for 72.77 feet to a point of tangent to spiral on a curve left; thence along said right of way on a spiral curve left, defined by a chord bearing South  $45^{\circ}34'52''$  East for 305.83 feet to a  $5/8'' \times 2'$  iron rod that is the point of spiral to curve at H.E.S. 455+75.48; thence South  $51^{\circ}32'46''$  West for 367.61 feet to a  $5/8'' \times 2'$  iron rod; thence South  $84^{\circ}53'13''$  West for 449.17 feet to a  $5/8'' \times 2'$  iron rod; thence North  $63^{\circ}23'04''$  West for 450.00 feet to a  $5/8'' \times 2'$  iron rod on North-South center of section line; thence South  $0^{\circ}38'45''$  East along said center of section line for 2001.64 feet to the South quarter corner, a brass cap monument; thence South  $89^{\circ}11'16''$  West along the South line of said Section 8 for 2634.55 feet to the Southwest corner of said Section 8, a brass cap monument and the true point of beginning;

EXCEPT the following described parcel:

Commencing at the South quarter corner of said Section 8, a brass cap monument; thence North  $0^{\circ}38'45''$  West along the North-South center of section line for 2001.64 feet to a  $5/8'' \times 2'$  iron rod; thence North  $63^{\circ}23'04''$  West for 26.82 feet to a  $5/8'' \times 2'$  iron rod and the true point of beginning for this description; thence North  $63^{\circ}23'04''$  West for 115.15 feet to a  $5/8'' \times 2'$  iron rod; thence North  $41^{\circ}30'02''$  East for 467.02 feet to a  $5/8'' \times 2'$  iron rod; thence South  $58^{\circ}29'59''$  East for 39.96 feet to a  $5/8'' \times 2'$  iron rod; thence North  $41^{\circ}30'02''$  East for 156.85 feet to a  $5/8'' \times 2'$  iron rod; thence North  $79^{\circ}39'21''$  West for 45.99 feet to a  $5/8'' \times 2'$  iron rod; thence North  $41^{\circ}30'02''$  East for 262.13 feet to a  $5/8'' \times 2'$  iron rod on the Southerly right of way of S.R. 151 at H.E.S. 465+26.92; thence along said right of way on a curve right, defined by a chord bearing South  $50^{\circ}49'14''$  East for 205.60 feet and a radius of 3199.29 feet through a central angle of  $3^{\circ}40'58''$  for 205.64 feet to a  $5/8'' \times 2'$  iron rod at H.E.S. 463+16.48; thence South  $41^{\circ}30'02''$  West for 146.25 feet to a  $5/8'' \times 2'$  iron rod; thence North  $79^{\circ}39'21''$  West for 164.13 feet to a  $5/8'' \times 2'$  iron rod; thence South  $41^{\circ}30'02''$  West for 167.83 feet to a  $5/8'' \times 2'$  iron rod; thence South  $58^{\circ}29'59''$  East for 47.02 feet to a  $5/8'' \times 2'$  iron rod; thence South  $41^{\circ}30'02''$  West for 457.06 feet to a  $5/8'' \times 2'$  iron rod and the true point of beginning.

# Legal Description

Order No. 89994  
Page No. 3

## Parcel B:

That portion of Government Lots 5 and 6, Section 8, Township 26 North, Range 22, E.W.M., Douglas County, Washington, more particularly described as follows:

Commencing at the South quarter corner of said Section 8, a brass cap monument; thence North  $0^{\circ} 38' 45''$  West along the North-South center of section line for 2001.64 feet to a  $5/8" \times 2'$  iron rod; thence North  $63^{\circ} 23' 04''$  West for 26.82 feet to a  $5/8" \times 2'$  iron rod; thence North  $63^{\circ} 23' 04''$  West for 115.15 feet to a  $5/8" \times 2'$  iron rod; thence North  $41^{\circ} 30' 02''$  East for 467.02 feet to a  $5/8" \times 2'$  iron rod; thence South  $58^{\circ} 29' 59''$  East for 39.96 feet to a  $5/8" \times 2'$  iron rod; thence North  $41^{\circ} 30' 02''$  East for 156.85 feet to a  $5/8" \times 2'$  iron rod and the True Point of Beginning for this description; thence North  $79^{\circ} 39' 21''$  West for 45.99 feet to a  $5/8" \times 2'$  iron rod; thence North  $41^{\circ} 30' 02''$  East for 262.13 feet to a  $5/8" \times 2'$  iron rod on the Southerly right of way for S.R. 151 at H.E.S. 465. +26.92; thence along said right of way on a curve right, defined by a chord bearing South  $50^{\circ} 49' 14''$  East for 205.60 feet and a radius of 3199.29 feet through a central angle of  $3^{\circ} 40' 58''$  for 205.64 feet to a  $5/8" \times 2'$  iron rod at H.E.S. 463 +16.48; thence South  $41^{\circ} 30' 02''$  West for 146.25 feet to a  $5/8" \times 2'$  iron rod; thence North  $79^{\circ} 39' 21''$  West for 164.13 feet to a  $5/8" \times 2'$  iron rod; thence North  $79^{\circ} 39' 21''$  West for 35.00 feet, more or less, to the True Point of Beginning.

## Parcel C:

That portion of the Southwest quarter and of Government Lot 6, Section 8, Township 26 North, Range 22, E.W.M., in Douglas County, Washington, more particularly described as follows:

Commencing at the South quarter corner of said Section 8, a brass cap monument; thence North  $0^{\circ} 38' 45''$  West along the North-South center of section line for 2001.64 feet to a  $5/8" \times 2'$  iron rod; thence North  $63^{\circ} 23' 04''$  West for 26.82 feet to a  $5/8" \times 2'$  iron rod and the true point of beginning for this description; thence North  $63^{\circ} 23' 04''$  West for 115.15 feet to a  $5/8" \times 2'$  iron rod; thence North  $41^{\circ} 30' 02''$  East for 467.02 feet to a  $5/8" \times 2'$  iron rod; thence South  $58^{\circ} 29' 59''$  East for 39.96 feet to a  $5/8" \times 2'$  iron rod; thence North  $41^{\circ} 30' 02''$  East for 156.85 feet to a  $5/8" \times 2'$  iron rod; thence South  $79^{\circ} 39' 21''$  East for 35.00 feet to a  $5/8" \times 2'$  iron rod; thence South  $41^{\circ} 30' 02''$  West for 167.83 feet to a  $5/8" \times 2'$  iron rod; thence South  $58^{\circ} 29' 59''$  East for 47.02 feet to a  $5/8" \times 2'$  iron rod; thence South  $41^{\circ} 30' 02''$  West for 457.06 feet to a  $5/8" \times 2'$  iron rod and the true point of beginning.

# Legal Description

Order No. 94308  
Page No. 2

## EXHIBIT "A"

*Parent A.*

The Southwest quarter of the Southeast quarter of Section 8, Township 26 North, Range 22, E.W.M., Douglas County, Washington, AND that portion of Government Lot 6 in said Section 8 lying Southerly of SR 151, and lying Southerly of the following described property.

Commencing at the South quarter corner of said Section 8, a brass cap monument; thence North  $0^{\circ}38'45''$  West along the North-South center of Section line for 2001.64 feet and the Point of Beginning of said described line; thence South  $63^{\circ}23'04''$  East 450.00 feet; thence North  $84^{\circ}53'13''$  East 449.17 feet; thence North  $51^{\circ}32'46''$  East 367.61 feet to a point on the Southerly right of way of SR 151, said point being 75 feet Southwesterly measured radially from Highway Engineer Station 455+75.48, and the terminus of said described line.

PARCELA

THE SOUTHWEST QUARTER AND PORTIONS OF GOVERNMENT LOTS 4, 5 AND 6, LYING SOUTHERLY OF S.R. 151, ALL IN SECTION 8, TOWNSHIP 26 NORTH, RANGE 22, E.W.M., IN DOUGLAS COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 8, A BRASS CAP MONUMENT AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH  $0^{\circ}35'15''$  WEST ALONG WEST LINE OF SAID SECTION 8 FOR 2635.28 FEET TO THE WEST QUARTER CORNER, A BRASS CAP MONUMENT; THENCE NORTH  $89^{\circ}11'16''$  EAST ALONG THE EAST-WEST CENTER OF SECTION LINE FOR 2213.64 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $9^{\circ}52'47''$  EAST FOR 354.95 FEET TO A  $5/8''$  X 2' IRON ROD ON THE SOUTHERLY RIGHT OF WAY OF S.R. 151 AT H.E.S. 474+11.44; THENCE ALONG SAID RIGHT OF WAY ON A CURVE RIGHT, DEFINED BY A CHORD BEARING SOUTH  $67^{\circ}09'22''$  EAST FOR 101.82 FEET AND A RADIUS OF 3024.29 FEET THROUGH A CENTRAL ANGLE OF  $1^{\circ}55'44''$  FOR 101.82 FEET TO A POINT; THENCE NORTH  $23^{\circ}48'30''$  EAST ALONG SAID RIGHT OF WAY FOR 5.00 FEET TO A POINT; THENCE ALONG SAID RIGHT OF WAY ON A CURVE RIGHT, DEFINED BY A CHORD BEARING SOUTH  $63^{\circ}39'16''$  EAST FOR 268.22 FEET AND A RADIUS OF 3029.29 FEET THROUGH A CENTRAL ANGLE OF  $5^{\circ}04'29''$  FOR 268.31 FEET TO A POINT; THENCE NORTH  $28^{\circ}52'59''$  EAST ALONG SAID RIGHT OF WAY FOR 170.00 FEET TO A POINT; THENCE ALONG SAID RIGHT OF WAY ON A CURVE RIGHT, DEFINED BY A CHORD BEARING SOUTH  $53^{\circ}21'30''$  EAST FOR 863.81 FEET AND A RADIUS OF 3199.29 FEET THROUGH A CENTRAL ANGLE OF  $15^{\circ}31'02''$  FOR 866.46 FEET TO A POINT OF CURVE TO SPIRAL AT H.E.S. 461+23.25; THENCE ALONG SAID RIGHT OF WAY ON A SPIRAL CURVE RIGHT, DEFINED BY A CHORD BEARING SOUTH  $44^{\circ}34'44''$  EAST FOR 173.11 FEET TO THE POINT OF TANGENT TO SPIRAL AT H.E.S. 459+48.25; THENCE SOUTH  $44^{\circ}04'00''$  EAST ALONG SAID RIGHT OF WAY FOR 72.77 FEET TO A POINT OF TANGENT TO SPIRAL ON A CURVE LEFT; THENCE ALONG SAID RIGHT OF WAY ON A SPIRAL CURVE LEFT, DEFINED BY A CHORD BEARING SOUTH  $45^{\circ}34'52''$  EAST FOR 305.83 FEET TO A  $5/8''$  X 2' IRON ROD THAT IS THE POINT OF SPIRAL TO CURVE AT H.E.S. 455+75.48; THENCE SOUTH  $51^{\circ}32'46''$  WEST FOR 367.61 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE SOUTH  $84^{\circ}53'13''$  WEST FOR 449.17 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $63^{\circ}23'04''$  WEST FOR 450.00 FEET TO A  $5/8''$  X 2' IRON ROD ON NORTH-SOUTH CENTER OF SECTION LINE; THENCE SOUTH  $0^{\circ}38'45''$  EAST ALONG SAID CENTER OF SECTION LINE FOR 2001.64 FEET TO THE SOUTH QUARTER CORNER, A BRASS CAP MONUMENT; THENCE SOUTH  $89^{\circ}11'16''$  WEST ALONG THE SOUTH LINE OF SAID SECTION 8 FOR 2634.55 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 8, A BRASS CAP MONUMENT AND THE TRUE POINT OF BEGINNING;

EXCEPT THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 8, A BRASS CAP MONUMENT; THENCE NORTH  $0^{\circ}38'45''$  WEST ALONG THE NORTH-SOUTH CENTER OF SECTION LINE FOR 2001.64 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $63^{\circ}23'04''$  WEST FOR 26.82 FEET TO A  $5/8''$  X 2' IRON ROD AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH  $63^{\circ}23'04''$  WEST FOR 115.15 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $41^{\circ}30'02''$  EAST FOR 467.02 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE SOUTH  $58^{\circ}29'59''$  EAST FOR 39.96 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $41^{\circ}30'02''$  EAST FOR 156.85 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $79^{\circ}39'21''$  WEST FOR 45.99 FEET TO A  $5/8''$  X 2' IRON ROD; THENCE NORTH  $41^{\circ}30'02''$  EAST FOR 262.13 FEET TO A  $5/8''$  X 2' IRON ROD ON THE SOUTHERLY RIGHT OF WAY OF S.R. 151 AT H.E.S. 465+26.92; THENCE ALONG SAID RIGHT OF WAY ON A CURVE RIGHT, DEFINED

**EXHIBIT "A" - Continued**

(PARCEL A CONTINUED)

BY A CHORD BEARING SOUTH 50°49'14" EAST FOR 205.60 FEET AND A RADIUS OF 3199.29 FEET THROUGH A CENTRAL ANGLE OF 3°40'58" FOR 205.64 FEET TO A 5/8" X 2' IRON ROD AT H.E.S. 463+16.48; THENCE SOUTH 41°30'02" WEST FOR 146.25 FEET TO A 5/8" X 2' IRON ROD; THENCE NORTH 79°39'21" WEST FOR 164.13 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 41°30'02" WEST FOR 167.83 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 58°29'59" EAST FOR 47.02 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 41°30'02" WEST FOR 457.06 FEET TO A 5/8" X 2' IRON ROD AND THE TRUE POINT OF BEGINNING.

## PARCEL C

THAT PORTION OF THE SOUTHWEST QUARTER AND OF GOVERNMENT LOT 6, SECTION 8, TOWNSHIP 26 NORTH, RANGE 22, E.W.M., IN DOUGLAS COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 8, A BRASS CAP MONUMENT; THENCE NORTH 0°38'45" WEST ALONG THE NORTH-SOUTH CENTER OF SECTION LINE FOR 2001.64 FEET TO A 5/8" X 2' IRON ROD; THENCE NORTH 63°23'04" WEST FOR 26.82 FEET TO A 5/8" X 2' IRON ROD AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 63°23'04" WEST FOR 115.15 FEET TO A 5/8" X 2' IRON ROD; THENCE NORTH 41°30'02" EAST FOR 467.02 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 58°29'59" EAST FOR 39.96 FEET TO A 5/8" X 2' IRON ROD; THENCE NORTH 41°30'02" EAST FOR 156.85 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 79°39'21" EAST FOR 35.00 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 41°30'02" WEST FOR 167.83 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 58°29'59" EAST FOR 47.02 FEET TO A 5/8" X 2' IRON ROD; THENCE SOUTH 41°30'02" WEST FOR 457.06 FEET TO A 5/8" X 2' IRON ROD AND THE TRUE POINT OF BEGINNING.



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

303 S Mission St, Ste 200 • Wenatchee, WA 98801-6142 • (509) 662-0500

December 11, 2009

Earl and Kathy Drinkwater  
1 Drinkwater Dr.  
Orondo, WA 98843-0000

**Re: Water Right No. S4-29942P**

Dear Mr. and Mrs. Drinkwater:

Thank you for your calls on December 10 and 11, 2009. I have included with this letter, publications on the basics of Washington water rights and changing a water right. Hopefully, they will prove helpful.

From the file on this water right permit, the same Place of Use (POU) given on your water right application appears on your permit. As such, a change in POU requires filling out a change application and filing it with the Douglas County Water Conservancy Board. I have included a change application with this letter. Since your orchard is currently not in compliance with the terms on your permit, it may be subject to enforcement actions. To avoid such actions, the change application should be filed prior to the upcoming irrigation season. Please note that a favorable decision cannot be guaranteed.

When looking through the file, I noticed that your water right permit is subject to instream flow regulation. Currently, there are active efforts through Ecology's Office of Columbia River to provide drought insurance water to irrigators with "interruptible" water rights. Your water right permit is already on the list of those who are candidates for this insurance water.

Finally, lands that you still intend to develop (sounds like around 15 acres) must be within the original place of use given on the permit (within the yellow outline on my previous letter). Washington water law does not allow for development outside the POU. Please note that your permit limits you to 85 acres.

Please contact me with any questions.

Sincerely,

Thomas Perkow  
Watermaster, Office of Columbia River

TP:raz (091211)

Enclosures: *A Landowner's Guide to Washington Water Rights  
FAQ about Extensions for Water Right Permits and Change  
Changing or Transferring an Existing Water Right  
Water right change application*





### STATE OF WASHINGTON APPLICATION FOR CHANGE/TRANSFER OF WATER RIGHT

For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF  
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply)

- Change purpose(s) of use
- Add purpose(s) of use
- Change point(s) of diversion/withdrawal
- Add point(s) of diversion/withdrawal
- Change/transfer place of use
- Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

FOR OFFICE USE ONLY	
CHANGE No. _____	WRIA _____
DATE ACCEPTED ____/____/____	BY _____
FEE \$ _____	RSC'D ____/____/____
CHECK No. _____	
ECY Coding: 001-002-WR10285-000011	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

"IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)"

#### 1. Applicant Information:

APPLICANT/BUSINESS NAME <i>Earl + Kathy Drinkwater</i>	PHONE NO. <i>(509) 682-057</i>	FAX NO. <i>(509) 784-2057</i>
ADDRESS <i>1 Drinkwater Drive</i>		
CITY <i>Orondo</i>	STATE <i>WA</i>	ZIP CODE <i>98843</i>

CONTACT NAME (IF DIFFERENT FROM ABOVE) <i>Kathy Drinkwater</i>	PHONE NO. <i>(509) 682-2057</i>	FAX NO. <i>(509) 784-2057</i>
ADDRESS		
CITY	STATE	ZIP CODE

#### 2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER <i>54-29942 P</i>	RECORDED NAME(S) <i>Earl + Kathy Drinkwater</i>
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME AND ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY			
APP. NO. _____	PERMIT NO. _____	CERT. NO. _____	CERT. OF CHANGE NO. _____

**3. Point(s) of Diversion/Withdrawal:**

**A. Existing**

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
SUBFARF DIVERSION		GOV LOT 5		8	26	22E		N/A

**B. Proposed N/A**

SOURCE	NO.	1/4	1/4	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
 EXISTING:  YES  NO      PROPOSED:  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in item No. 6 (remarks) or as an attachment.

**4. Purpose of Use:**

**A. Existing**

PURPOSE OF USE	OPM or CFS	ACRE-FT/YR	PERIOD OF USE
FROST PROTECTION	2.0	~16	MAR 15 - JUN 1
IRRIGATION	2.0	~340	APR 15 - OCT 31

**B. Proposed N/A**

PURPOSE OF USE	OPM or CFS	ACRE-FT/YR	PERIOD OF USE

**5. Place of Use:**

**A. Existing**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:  
 GOVERNMENT LOT 4 (SE 1/4 NW 1/4), GOV LOT 5 (SW 1/4 NE 1/4), GOV LOT 6 (NW 1/4 SE 1/4),  
 SE 1/4 SW 1/4, NE 1/4 SW 1/4, ALL IN SECTION 8, T.26N, R.22 E.W.M.,  
 DOUGLAS COUNTY, WASHINGTON

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		8	26	22	DOUGLAS		~70

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE?  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

**B. Proposed**

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:  
 GOV LOT 4 (SE 1/4 NW 1/4), GOV LOT 5 (SW 1/4 NE 1/4), GOV LOT 6 (NW 1/4 SE 1/4),  
 SE 1/4 SW 1/4, NE 1/4 SW 1/4, SW 1/4 SW 1/4, NW 1/4 SW 1/4, ALL IN SECTION 8,  
 T.26N, R.22 E.W.M., DOUGLAS COUNTY, WASHINGTON

1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		8	26	22	DOUGLAS		~70

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE?  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER RIGHTS OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
 YES  NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): \_\_\_\_\_

**6. Remarks and Other Relevant Information:**

CONTACT TOM PERKINS, WIFE - WENATUCHE, WITH QUESTIONS:	
(509) 662-0512.	
IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___	

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

**7. Signatures:**

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

	03/11/10 (Date)
	03/11/10 (Date)
	03/11/10 (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

<b>WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):</b>	
<input type="checkbox"/> APPLICATION FEE NOT ENCLOSED	<input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE
<input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED	<input type="checkbox"/> SECTION _____ IS INCOMPLETE
<input type="checkbox"/> OTHER/EXPLANATION: _____	
STAFF: _____	DATE: ___/___/___





STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
 OF WATER RIGHT**

For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF  
 ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- Change purpose(s) of use
- Add purpose(s) of use
- Change point(s) of diversion/withdrawal
- Add point(s) of diversion/withdrawal
- Change/transfer place of use
- Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

FOR OFFICE USE ONLY	
CHANGE No.	DOUG 11-01 WR1A
DATE ACCEPTED	4/11/11 BY G
FEE \$	600 <sup>00</sup> REC'D 4/11/11
CHECK No.	4181
ECY Coding: 001-002-WR10285-000011	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\*

**1. Applicant Information:**

APPLICANT/BUSINESS NAME <i>Earl + Kathy Drinkwater</i>	PHONE NO. <i>(509) 682-2057 (509) 784-2057</i>	FAX NO.
ADDRESS <i>1 Drinkwater Drive</i>		
CITY <i>Orondo</i>	STATE <i>WA</i>	ZIP CODE <i>98843</i>

CONTACT NAME (IF DIFFERENT FROM ABOVE) <i>Kathy Drinkwater</i>	PHONE NO. <i>(509) 682 2057 (509) 784. 2057</i>	FAX NO.
ADDRESS		
CITY	STATE	ZIP CODE

LEGAL LAND OWNER or PART OWNER NAME OF PROPOSED PLACE OF USE	PHONE NO. ( )	FAX NO. ( )
ADDRESS		
CITY	STATE	ZIP CODE

**2. Water Right Information:**

WATER RIGHT OR CLAIM NUMBER <i>S 4-29942 P</i>	RECORDED NAME(S) <i>Earl + Kathy Drinkwater</i>
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY			
APP. NO.	PERMIT NO.	CERT. NO.	CERT. OF CHANGE NO.

**3. Point(s) of Diversion/Withdrawal:**

**A. Existing**

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Surface Diversion		Gov Lot 5	8	26	22E			N/A

**B. Proposed** *NA*

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
 EXISTING:  YES  NO      PROPOSED:  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

**4. Purpose of Use:**

**A. Existing**

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Frost Protection	2.0	~16	MAR 15 - Jun 1
Irrigation	2.0	~340	Apr 15 - Oct 31

**B. Proposed** *NA*

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE

**5. Place of Use:**

**A. Existing**

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Gov Lot 4 (SE ¼ NW ¼), Gov Lot 5 (SW ¼ NE ¼), Gov Lot 6 (NW ¼ SE ¼), SE ¼ SW ¼, NE ¼ SW ¼, ALL IN SECTION 8, T 26 N, R 22 E W 1/4, Douglas County, Washington							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		8	26	22	Douglas		~70

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE?  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

**B. Proposed**

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Gov Lot 4 (SE ¼ NW ¼), Gov Lot 5 (SW ¼ NE ¼), Gov Lot 6 (NW ¼ SE ¼), SE ¼ SW ¼, NE ¼ SW ¼, SW ¼, NW ¼, SW ¼, ALL IN SECTION 8, T 26 N, R 22 E W 1/4, Douglas County, Washington							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		8	26	22	Douglas		~70

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE?  YES  NO - IF NO, PROVIDE OWNER(S) NAME:

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
 YES  NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): \_\_\_\_\_

**6. Remarks and Other Relevant Information:**

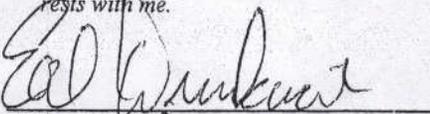
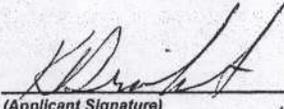
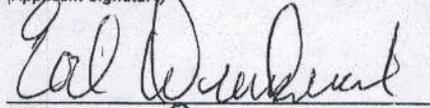
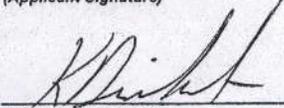
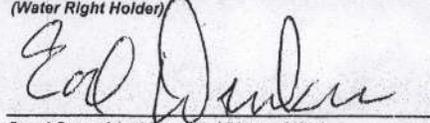
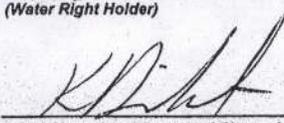
Contact, Tam Perkow, WDOE - Wenatchee	
with questions 509-662-0512	
IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___	

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**7. Signatures:**

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

 (Applicant Signature)	 (Applicant Signature)	4/6/11 (Date)
 (Water Right Holder)	 (Water Right Holder)	4/6/11 (Date)
 (Land Owner(s) of Proposed Place of Use)	 (Land Owner(s) of Proposed Place of Use)	4/6/11 (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

<b>WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):</b>	
<input type="checkbox"/> APPLICATION FEE NOT ENCLOSED	<input type="checkbox"/> MAP NOT INCLUDED or INCOMPLETE
<input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED	<input type="checkbox"/> SECTION _____ IS INCOMPLETE
<input type="checkbox"/> OTHER/EXPLANATION: _____	
STAFF: _____	DATE: ___/___/___

Conservancy Board  
Record of Decision  
Divider Sheet

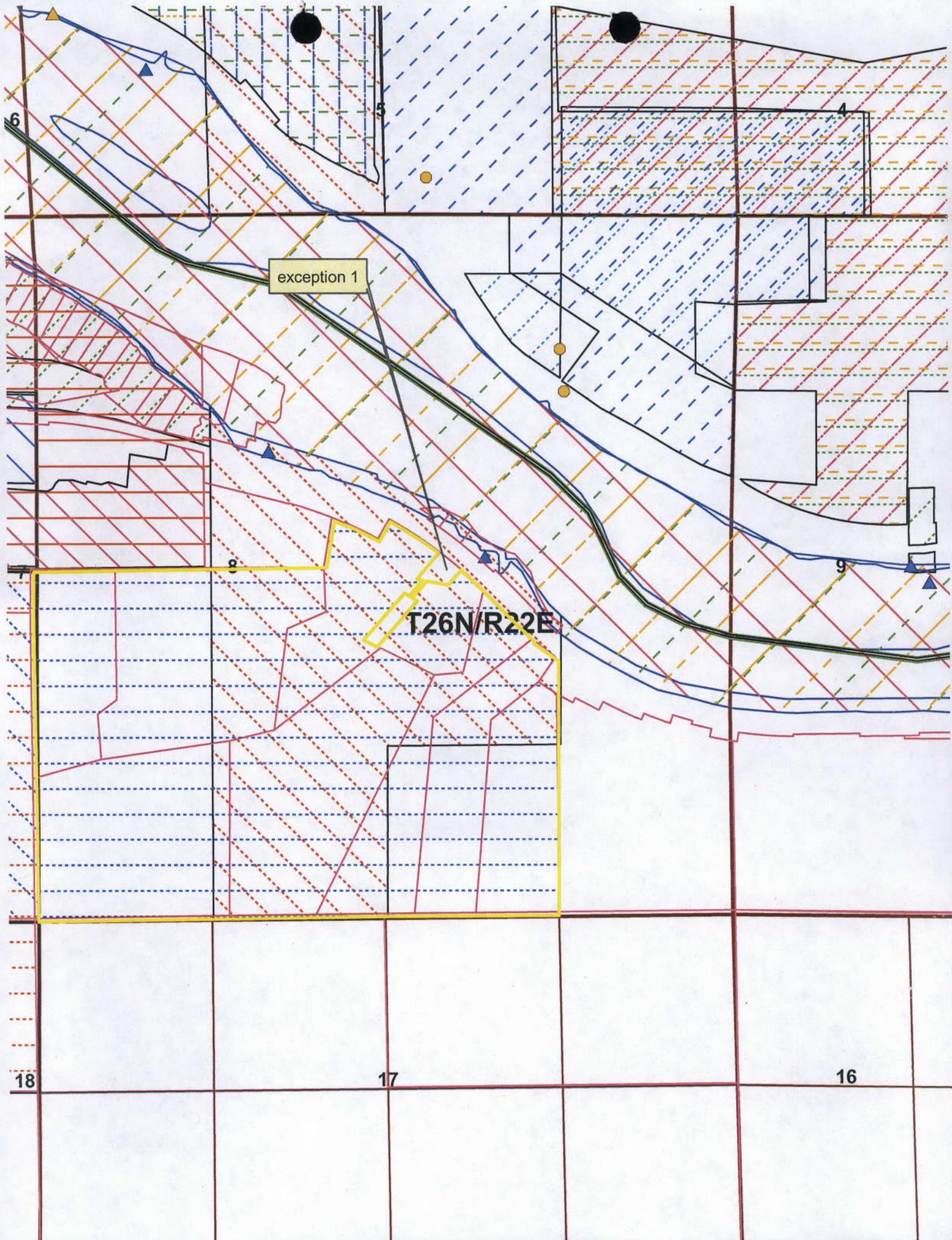
5046-11-01

ROD # 1 Received: 09-22-2014

Withdrawn: \_\_\_\_\_

FILE COPY

PARCEL_NUM	CURRENT_O	MAIL_ADD1	MAIL_ADD2	ZIP_CODE
26220840003	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220820007	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220840006	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220840004	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220840005	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220840002	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220830002	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220830001	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220830003	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000
26220830004	DRINKWATER, EARL & KATHY	1 DRINKWATER DR	ORONDO WA	98843-0000



**Anderson, Sandra K. (ECY)**

---

**From:** Anderson, Sandra K. (ECY)  
**Sent:** Tuesday, October 11, 2011 6:13 AM  
**To:** 'Carol Cowling'  
**Subject:** DOUG-11-01 & DOUG-11-02

Sorry, looks like I was so excited to get them done that I forgot to send you the e-mail. ☺

DOUG-11-01 CS4-29942P Drinkwater  
DOUG-11-02 CS4-29943C Water Works Properties



*Sandy Anderson*  
*Water Resources Program - CRO Yakima*  
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**From:** Carol Cowling [<mailto:carol.cowling@gmail.com>]  
**Sent:** Monday, October 10, 2011 12:02 PM  
**To:** Anderson, Sandra K. (ECY)  
**Subject:** Douglas County WCB

I don't think I got DOE # for  
DOUG 11-01 Drinkwater  
DOUG 11-02 Waterworks Properties LLC

Thanks  
Carol Cowling